

SEVENTIETH DAY

(Thursday, May 13, 1937)

The House met at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Calvert.

The roll of the House was called, and the following Members were present:

Mr. Speaker	Harris of Dickens
Adkins	Hartzog
Alexander	Heflin
Alsup	Herzik
Amos	Holland
Baker	Hoskins
Bates	Howard
Beckworth	Huddleston
Bell	Hull
Blankenship	Hyder
Boethel	Jackson
Bond	James
Boyer	Johnson of Ellis
Bradbury	Johnson
Bradford	of Tarrant
Bridgers	Jones of Angelina
Broadfoot	Jones of Atascosa
Brown	Jones of Falls
Burton	Jones of Wise
Cagle	Keefe
Callan	Keith
Carssow	Kelt
Cathey	Kenyon
Cauthorn	Kern
Celaya	King
Cleveland	Knetsch
Colquitt	Langdon
Davis of Haskell	Lankford
Davis of Jasper	Lanning
Davison of Fisher	Leath
Davisson	Leonard
of Eastland	Little
Deglandon	Loggins
Derden	London
Dickison	Lucas
Dollins	Mann
England	Mauritz
Farmer	Mays
Felty	McConnell
Fielden	McCracken
Fox	McDonald
Fuchs	McFarland
Gibson	McKee
Graves	McKinney
Hamilton	Metcalf
Hankamer	Moffett
Hanna	Monkhouse
Hardin	Morris
Harbin	Morse
Harper	Nicholson
Harrell	Newton
Harris of Archer	Oliver
Harris of Dallas	Palmer

Patterson of Mills	Simpson
Patterson	Smith of Hopkins
of Travis	Smith
Petsch	of Matagorda
Pope	Smith of Tarrant
Powell	Stevenson
Prescott	Stinson
Quinn	Stocks
Ragsdale	Talbert
Reader	Tarwater
Reed of Bowie	Tennant
Reed of Dallas	Tennyson
Rhodes	Thornberry
Riddle	Thornton
Roark	Vale
Ross	Waggoner
Russell	Walker
Rutta	Weldon
Schuenemann	Westbrook
Settle	Winfree
Sewell	Wood
Sharpe	Worley
Shell	

Absent

Leyendecker

Absent-Excused

Dean

Skaggs

A quorum was announced present.

Prayer was offered by Rev. George W. Coltrin, Chaplain.

LEAVES OF ABSENCE GRANTED

The following Members were granted leaves of absence on account of important business:

Mr. Hyder for this morning, on motion of Mr. Worley.

Mr. Skaggs for today, on motion of Mr. Talbert.

MOTION TO PRINT ON MINORITY REPORT

Mr. Thornton moved that Senate Bill No. 306 reported adversely, with a minority favorable report, be printed.

Mr. Jones of Wise raised a point of order, on consideration of the motion, on the ground that Senate Bill No. 306 has not been properly reported by the committee.

The Speaker sustained the point of order.

Mr. Thornton moved that the Committee on Municipal and Private Corporations be instructed to report Senate Bill No. 306, immediately.

Mr. Pope raised a point of order, on further consideration of the mo-

tion by Mr. Thornton, at this time, on the ground that same is not a routine motion and is out of order at this time.

The Speaker overruled the point of order.

Mr. Pope moved that further consideration of the motion by Mr. Thornton be postponed indefinitely.

Mr. Thornton moved to table the motion to postpone.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table was lost by the following vote:

Yeas—46

Alsup	McCracken
Blankenship	McDonald
Boyer	McFarland
Callan	McKee
Cauthorn	McKinney
Cleveland	Moffett
Davis of Haskell	Newton
Derden	Nicholson
England	Petsch
Felty	Prescott
Fielden	Reader
Hankamer	Reed of Bowie
Hardin	Reed of Dallas
Harrell	Rhodes
Harris of Dallas	Riddle
Heflin	Settle
Howard	Sewell
Huddleston	Smith of Hopkins
Jackson	Smith
Johnson	of Matagorda
of Tarrant	Tennant
Jones of Falls	Thornton
Kenyon	Winfree
Leath	Wood

Nays—76

Alexander	Fox
Amos	Hamilton
Baker	Hanna
Bates	Harper
Beckworth	Harris of Archer
Bell	Herzik
Boethel	Holland
Bond	Hoskins
Bradbury	James
Bradford	Johnson of Ellis
Broadfoot	Jones of Angelina
Brown	Jones of Atascosa
Burton	Jones of Wise
Carssow	Keefe
Cathey	Keith
Davis of Jasper	Kelt
Deglandon	Kern
Dickison	King
Dollins	Knetsch
Farmer	Langdon

Lankford	Roark
Lanning	Ross
London	Rutta
Lucas	Sharpe
Mann	Shell
Mauritz	Simpson
Mays	Smith of Tarrant
McConnell	Stevenson
Metcalfe	Talbert
Monkhouse	Tarwater
Palmer	Tennyson
Oliver	Thornberry
Patterson of Mills	Vale
Patterson	Waggoner
of Travis	Walker
Pope	Weldon
Powell	Westbrook
Quinn	Worley
Ragsdale	

Absent

Adkins	Hartzog
Bridgers	Hull
Cagle	Leonard
Celaya	Leyendecker
Colquitt	Little
Davison of Fisher	Loggins
Davisson	Morris
of Eastland	Morse
Fuchs	Russell
Gibson	Schuenemann
Graves	Stinson
Harbin	Stocks
Harris of Dickens	

Absent—Excused

Dean	Skaggs
Hyder	

Mr. Thornton raised a point of order, on the above vote, on the ground that there was not a two-thirds of the membership voting on the above motion, and that same requires a two-thirds vote.

The Speaker overruled the point of order.

Question recurring on the motion by Mr. Pope to postpone the motion by Mr. Thornton, yeas and nays were demanded.

The motion to postpone prevailed by the following vote:

Yeas—72

Adkins	Bradbury
Alexander	Bradford
Amos	Brown
Baker	Burton
Bates	Carssow
Beckworth	Davis of Jasper
Bell	Davisson
Boethel	of Eastland
Bond	Dean

Deglandon	McConnell
Dickison	Metcalfe
Dollins	Monkhouse
Farmer	Palmer
Fox	Oliver
Hamilton	Patterson of Mills
Hanna	Patterson
Harris of Archer	of Travis
Holland	Pope
Hoskins	Powell
James	Quinn
Johnson of Ellis	Ragsdale
Jones of Angelina	Roark
Jones of Wise	Ross
Keefe	Russell
Keith	Sharpe
Kelt	Simpson
Kern	Smith of Tarrant
King	Stevenson
Knetsch	Talbert
Langdon	Tarwater
Lankford	Tennyson
Lanning	Thornberry
London	Waggoner
Lucas	Walker
Mann	Weldon
Mauritz	Westbrook
Mays	Worley

Nays—53

Alsup	McCracken
Blankenship	McDonald
Boyer	McKee
Bridgers	McKinney
Broadfoot	Moffett
Callan	Morris
Cathey	Newton
Cauthorn	Nicholson
Cleveland	Petsch
Davis of Haskell	Prescott
Derden	Reader
England	Reed of Bowie
Fielden	Reed of Dallas
Hankamer	Rhodes
Hardin	Riddle
Harper	Rutta
Harrell	Settle
Harris of Dallas	Sewell
Heflin	Smith of Hopkins
Howard	Smith
Huddleston	of Matagorda
Hull	Stinson
Jackson	Stocks
Johnson	Tennant
of Tarrant	Thornton
Jones of Falls	Winfree
Kenyon	Wood
Leath	

Absent

Cagle	Fuchs
Celaya	Gibson
Colquitt	Graves
Davison of Fisher	Harbin
Felty	Harris of Dickens

Hartzog	Loggins
Herzik	McFarland
Jones of Atascosa	Morse
Leonard	Schuenemann
Leyendecker	Shell
Little	Vale

Absent—Excused

Hyder	Skaggs
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Mr. Keefe moved to reconsider the vote by which the motion to postpone prevailed, and to table the motion to reconsider.

The motion to table prevailed.

MESSAGE FROM THE SENATE

Austin, Texas, May 12, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House the Senate has refused to concur in House amendments to Senate Bill No. 405 and requests the appointment of a conference committee to adjust the differences between the two Houses.

The following have been appointed on the part of the Senate:

Senators Collie, Roberts, Aikin, Stone and Lemens.

Has concurred in House amendments to Senate Bill No. 477 by the following vote: Yeas, 26; Nays, 4.

Respectfully,

BOB BARKER,
Secretary of the Senate.

RELATIVE TO HOUSE BILL
NO. 989

By unanimous consent of the House, on motion of Mr. Knetsch, the caption of House Bill No. 989 was ordered amended to conform to all changes and with the body of the bill.

MESSAGE FROM THE SENATE

Austin, Texas, May 13, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed the following:

H. B. No. 19, A bill to be entitled "An Act providing that all persons, firms, partnerships or corporations using coupons, chips, scrip, punchouts, store orders, or other evidence of indebtedness to pay their or its laborers

and employees, for labor or otherwise, shall, if demanded redeem the same in the hands of such laborer, employee or bona fide holder in good and lawful money of the United States; provided, the same is presented and redemption demanded of such person, firm, partnership or corporation using same as aforesaid, at a regular pay-day, such redemption to be at the face value of said scrip, chips, punchouts, coupons, store orders or other evidence of indebtedness; provided, further, said face value shall be in cash the same as its purchasing power in goods, wares and merchandise at the commissary store or other repository of such persons, firms, partnerships or corporations aforesaid; and providing penalties for failure to redeem, and declaring an emergency."

H. B. No. 105, A bill to be entitled "An Act requiring owners of real estate or other taxable property, or their agents or representatives in rendering same for ad valorem taxation to give the post office address of the owner or owners of said property at the time of such rendition; providing a penalty for failure to render such property in the manner herein prescribed, and declaring an emergency." (With amendment.)

H. B. No. 483, A bill to be entitled "An Act to amend Section 7, of Chapter 62, pages 131-133, of the General and Special Laws of the State of Texas passed by the Forty-third Legislature at its Second Called Session, 1934, of the State of Texas; to further define a nuisance and provide for the punishment of certain persons and peace officers and organizations who knowingly permit and accept receipts from any contest enumerated and referred to in said Chapter 62, and declaring an emergency."

H. B. No. 713, A bill to be entitled "An Act to provide liens for services rendered by persons, firms, and corporations with whom articles of wearing apparel and garments have been placed to be repaired, altered, dyed, cleaned or pressed, or laundered and authorizing the sale thereof to pay charges for such services, and for the disposition of proceeds of such sales, and declaring an emergency."

H. B. No. 1049, A bill to be entitled "An Act to amend Article 2687, Revised Civil Statutes of Texas, 1925, prescribing the time of meeting of the County Board of School Trustees: (a) in counties containing a population of

not less than forty-eight thousand, five hundred and sixty (48,560) and not more than forty-eight thousand, six hundred and sixty-five (48,665) population, (b) in counties containing a population of not less than thirty thousand, and twenty (30,020) and not more than thirty thousand, one hundred and twenty-five (30,125) population, (c) in counties containing a population of not less than ten thousand, three hundred and seventy (10,370) and not more than ten thousand, four hundred and seventy-five (10,475) population, according to the last preceding Federal Census; providing for their compensation; providing the fund from which same shall be paid; providing this Act shall be cumulative of all existing laws on this subject but this Act shall apply where in conflict therewith, and declaring an emergency."

H. B. No. 1061, A bill to be entitled "An Act requiring owners of cattle affected with bang's disease to brand and tag them for identification after they have been tested and found to have such disease, and providing a penalty, and declaring an emergency."

H. B. No. 1081, A bill to be entitled "An Act making it unlawful to trap, snare, shoot, catch or kill any wild fox in Bell County for a period of two (2) years, providing a penalty, and declaring an emergency." (With amendment.)

H. B. No. 1100, A bill to be entitled "An Act creating a special road law for Scurry County, Texas, providing that said County fund or refund indebtedness outstanding against its road and bridge fund as of March 31, 1937, including bonds, interest-bearing time warrants and scrip warrants by the issuance of funding or refunding bonds or warrants, either or both, setting forth the method of issuing same; . . . etc., and declaring an emergency."

H. B. No. 727, A bill to be entitled "An Act to amend Article 1055 of the Code of Criminal Procedure of Texas, relating to the fees paid constables, and declaring an emergency."

H. B. No. 832, A bill to be entitled "An Act to create the San Jacinto River Conservation and Reclamation District, and declaring an emergency."

H. B. No. 940, A bill to be entitled "An Act making theft of wool or mohair or edible meat a felony; prescribing penalties therefor, and declaring an emergency."

H. B. No. 995, A bill to be entitled "An Act providing a closed season on quail and doves in Callahan and Eastland Counties, Texas, for a period of three (3) years; providing a penalty for the violation of the terms of this Act, and declaring an emergency." (With amendment.)

H. B. No. 1002, A bill to be entitled "An Act to fix salaries and compensation of County Commissioners in counties with a population of not less than 77,600 inhabitants nor more than 88,000 inhabitants according to the last Federal Census as same now exists or may hereafter exist, and/or having an assessed valuation of not less than \$40,000,001.00 nor more than \$50,000,000.00, according to the last approved tax rolls, as same now exists or may hereafter exist, and providing for the manner of payment of the salaries and the funds from which said salaries shall be paid; and repealing all laws in conflict herewith, and declaring an emergency." (With amendments.)

H. B. No. 1041, A bill to be entitled "An Act validating all elections and proceedings had in connection with the formation of Andrews Independent School District of Andrews County, Texas; establishing the boundaries of said Andrews Independent School District; providing for the Board of Trustees; providing that said District shall have and exercise all the rights, powers, privileges and duties conferred and imposed by the General Laws of this State upon the trustees of independent school districts, and declaring an emergency."

H. B. No. 646, A bill to be entitled "An Act providing that persons, firms or corporations, who operate or conduct hotels, cafes, restaurants, dining cars or other public eating places, bakeries and meat markets in this State shall not work, employ or keep in their employ any person who is infected with or affected by any infectious or contagious disease; . . . etc., and declaring an emergency."

H. B. No. 1103, A bill to be entitled "An Act amending Section 5 of Chapter 41, Special Laws of the Forty-fourth Legislature, Regular Session, same being House Bill No. 641, by providing that there shall be a closed season on fishing in the waters of Medina Lake in Bandera County, Texas, during the months of February, March and April of each year, and declaring an emergency."

H. B. No. 1135, A bill to be entitled "An Act declaring it unlawful to take any fish from the waters of Hunt and Rains Counties, Texas, other than by ordinary hook line, set line or throw line, or by ordinary cordline, seine or net, the meshes of which are less than one and one-half inches square; provided that any such seine or net may be used during the period from March 1st through September 30th of each year; fixing a penalty, and declaring an emergency."

H. B. No. 1140, A bill to be entitled "An Act to repeal Chapter 20 of Special Laws of the Regular Session of the Forty-fourth Legislature."

H. B. No. 1169, A bill to be entitled "An Act fixing the compensation of official shorthand reporters in District Courts in all counties having a population in excess of three hundred and fifty-five thousand (355,000) inhabitants, according to the last preceding or any future Federal Census, providing methods of payment, repealing all laws and parts of laws in conflict to the extent of such conflict only, and declaring an emergency." (With amendment.)

Respectfully,

BOB BARKER,

Secretary of the Senate.

TO PROVIDE FOR THE ESTABLISHMENT OF THE TEXAS COUNCIL OF INTER-STATE COOPERATION

Mr. Moffett offered the following resolution:

H. C. R. No. 126, To provide for the establishment of the Texas Council of Interstate Cooperation.

Whereas, Texas is a large State, with a great variety of interests and a long boundary line; and

Whereas, There are frequent and intermittent conflicts between this State and bordering states, concerning bridges and highway travel, hunting and fishing rights, boundary titles, taxation, automobile registration and on many other details of government concerning which no state, alone, can effectively legislate, and over which the United States Government has no jurisdiction; and

Whereas, It is essential and beneficial that the several states cooperate among themselves to solve the various problems resulting from this situation; and

Whereas, There are now in existence in both branches of the Texas Legislature, committees on interstate cooperation; and

Whereas, Twenty-eight (28) other states have established commissions or councils on interstate cooperation consisting of such legislative committees and a similar committee of administrative officials to solve interstate problems through the facilities of the Council of State Governments; now, therefore, be it

Resolved, That

1. There is hereby established the Texas Council of Interstate Cooperation. This Council shall be composed of fifteen regular members, namely:

The five members of the Senate Committee on Interstate Cooperation,

The five members of the House Committee on Interstate Cooperation, and

The five members of the Governor's Committee on Interstate Cooperation, as hereafter provided.

The Governor, the President of the Senate and the Speaker of the House of Representatives shall be ex-officio honorary non-voting members of this Council. The Chairman of the Governor's Committee on Interstate Cooperation shall be ex-officio Chairman of this Council.

2. There is hereby established a committee of administrative officials and employees of this State to be officially known as the Governor's Committee on Interstate Cooperation, and to consist of five members. Its members shall be: the Chairman of the Board of Control, ex-officio; the Attorney-General, ex-officio; and three other administrative officials or employees to be designated by the Governor. The Governor shall appoint one of the five members of this Committee as its chairman. In addition to the regular members, the Governor shall be ex-officio an honorary non-voting member of this Committee.

3. The said standing Committee of the Senate and the said standing Committee of the House of Representatives shall function during the Regular Sessions of the Legislature and also during the interim periods between such sessions; their members shall serve until their successors are designated; and they shall respectively constitute for this State the Senate Council and House Council of the American Legislators' Association. The incumbency of each ad-

ministrative member of this Commission shall extend until the first day of February next following his appointment, and thereafter until his successor is appointed.

4. It shall be the function of this Council:

(1) To carry forward the participation of this State as a member of the Council of State Governments.

(2) To encourage and assist the legislative, executive, administrative and judicial officials and employees of this State to develop and maintain friendly contact by correspondence, by conference, and otherwise, with officials and employees of the other States, of the Federal Government, and of local units of government.

(3) To endeavor to advance cooperation between this State and other units of government whenever it seems advisable to do so by formulating proposals for, and by facilitating:

(a) The adoption of compacts,

(b) The enactment of uniform or reciprocal statutes,

(c) The adoption of uniform or reciprocal administrative rules and regulations,

(d) The informal cooperation of governmental offices with one another,

(e) The personal cooperation of governmental officials and employees with one another, individually,

(f) The interchange and clearance of research and information, and

(g) Any other suitable process.

(4) In short, to do all such acts as will, in the opinion of this Council, enable this State to do its part—or more than its part in forming a more perfect union among the various governments in the United States and in developing the Council of State Governments for that purpose.

5. The Council shall establish such delegations and committees as it deems advisable, in order that they may confer and formulate proposals concerning effective means to secure inter-governmental harmony, and may perform other functions for the Council in obedience to its decisions. Subject to the approval of the Council, the member or members of each such delegation or committee shall be appointed by the Chairman of the Council. State officials or employees who are not members of the Council on Interstate Cooperation may be ap-

pointed as members of any such delegation or committee, but private citizens holding no governmental position in this State shall not be eligible. The Council may provide such other rules as it considers appropriate concerning the membership and the functioning of any such delegation or committee. The Council may provide for advisory boards for itself and for its various delegations and committees, and may authorize private citizens to serve on such boards.

6. The Council shall report to the Governor and to the Legislature within fifteen days after the convening of each Regular Legislative Session, and at such other times as it deems appropriate. Its members and the members of all delegations and committees which it establishes shall serve without compensation for such service.

MOFFETT,
DAVISON of Fisher,
SHARPE,
BROADFOOT.

The resolution was read second time.

Mr. Moffett moved that the resolution be referred to the Committee on Interstate Cooperations.

The motion prevailed.

TO GRANT PERMISSION TO SUE THE STATE

Mr. Bridgers offered the following resolution:

H. C. R. No. 127, To grant R. F. Davis permission to sue the State.

Whereas, R. F. Davis of El Paso County, Texas, claims to be the owner of the northerly and northeasterly portion of Surveys 125, 126, 127 and 128 of the San Elizario Grant in El Paso County, Texas, and the same conflicts with certain properties located in Block "L" of the University Lands of El Paso County, Texas; and

Whereas, Said R. F. Davis desires to bring suit against the State and against the University of Texas in trespass to try title and for the purpose of establishing the north east boundary line of Surveys 125, 126, 127 and 128 of the San Elizario Grant of El Paso County, Texas, for the purpose of settling an existing conflict between the northeast boundary line of said San Elizario Grant and sections of University lands

located in El Paso County, Texas; and

Whereas, It is desirable in the interest of the said R. F. Davis, as well as in the interest of the University of Texas that the conflict said to exist in the title and in the surveys of said tracts of land to the end that the true ownership of said land, as affected by said conflicting lines and surveys, be determined and settled, now therefore, without admitting on the part of either or both the State or the University of Texas in any way the claim of the said R. F. Davis to said land, or any portion thereof; be it

Resolved by the House of Representatives, the Senate concurring, That the said R. F. Davis of El Paso County, Texas, be, and hereby is permitted to file and prosecute his suit in trespass to try title, in any court of competent jurisdiction in El Paso County, Texas; that he may secure service by citing the Attorney General on the part of the State, and the President of the Board of Regents of the University of Texas on the part of the University; that the procedure shall be governed by the existing rules and regulations as governs other civil cases of a like character; that either party may have the right of appeal upon the judgment of the trial court; that neither the State nor the University of Texas shall be required to execute appeal bond; and, be it further

Resolved, That the Attorney General and the Board of Regents of the University of Texas and the said R. F. Davis agreeing upon the boundary lines aforesaid, without suit, or agreeing to a compromise of said boundary lines without suit, may enter into such agreement, and the University of Texas is hereby authorized to execute to said R. F. Davis such title, deed or acquittance as may be necessary to settle the title to said land in the event a settlement can be reached.

BRIDGERS,
HANKAMER,
JACKSON.

The resolution was read second time, and was referred, by the Speaker, to the Committee on State Affairs.

GRANTING PERMISSION TO SUE THE STATE

Mr. Jackson offered the following resolution:

H. C. R. No. 128, Granting Fred Belasco permission to sue the State.

Whereas, The State Highway Department of the State of Texas in carrying out certain improvements on the county roads of Val Verde County, Texas, near Del Rio, on or about the 19th day of April, 1937, or if not engaged in work on the said highway, having then and there an oil truck which was then and there standing on the pavement of said highway, and which truck it is alleged was without tail lights, at night, being on the main highway between Del Rio and San Antonio, Texas, and such truck being then and there under the control of said State Highway Commission, and said truck being so parked on said highway at night without tail lights did then and there cause a collision between a car then and there being driven by Fred Velasco, a resident citizen of El Paso, Texas, and in which collision, according to the claims of the said Fred Velasco did then and there result in damages to the automobile of the said Velasco, and did then and there cause certain personal injuries to be suffered by Mrs. Ellen Velasco, the wife of the said Fred Velasco, according to the claims of the said Fred Velasco, and it being alleged that said truck was then and there negligently parked on said highway by the driver thereof, according to the claims of said Fred Velasco, and said Fred Velasco desires to bring suit against the State of Texas and the State Highway Department of Texas for the purpose of recovering his damages to his said automobile, and for personal injuries to his said wife, and for the purpose of determining which of said parties is liable therefor; and

Whereas, The said Fred Velasco claims that the damage done to himself and his said wife would not have taken place had not said truck been negligently parked on said highway as aforesaid; and

Whereas, Under the Constitution and the laws of this State, the said Fred Velasco is prohibited from filing and maintaining a suit for the purpose of establishing his claim in the absence of permission granted by

the Legislature of this State, now therefore, without admitting liability on the part of either or both the State or the Highway Commission; be it

Resolved by the House of Representatives, the Senate concurring, That the said Fred Belasco of El Paso County, Texas, be, and is hereby permitted to file and prosecute his suit in a court of competent jurisdiction; that he may secure service of powers by citing the Attorney General on the part of the State and by citing either of the Highway Commissioners on the part of the Highway Commission; that the venue shall be in El Paso County, Texas; that the procedure shall be covered by the existing rules and regulations as governs other civil cases of a like character; that either party may have the right of appeal from the judgment of the trial court; that neither the State nor the Highway Commission shall be required to execute appeal bonds; that in any event of judgment in favor of the said Fred Velasco that a certified copy of the same shall be sufficient authority for the Comptroller to issue to the State Treasury to pay the same out of the State Highway funds; and, be it further

Resolved, That the Attorney General and the Highway Commission of the State of Texas, either or both, be and are hereby authorized to compromise or otherwise settle any such suit if, in the opinion of the Attorney General or Highway Commission, the said Fred Velasco is entitled to compensation because of his injury and damage, if any, and that the Comptroller be and is hereby authorized and instructed to settle same in compliance herewith, and charge same against the State Highway fund.

JACKSON,
HANKAMER,
BRIDGERS.

The resolution was read second time, and was referred, by the Speaker, to the Committee on State Affairs.

AUTHORIZING THE LOAN OF CERTAIN HIGHWAY EQUIPMENT

Mr. Lucas offered the following resolution:

H. C. R. No. 130, Authorizing the loan of certain highway equipment.

Whereas, The State Highway Department possesses oil distributors and other equipment needful and necessary in the process of oiling roads; and

Whereas, The citizens of Henderson County have certain roads that are in fairly good condition in dry weather, but which are practically impassable, and sometimes entirely impassable during the rainy weather; and

Whereas, Said County does not have the equipment necessary to oil these roads thereby making them satisfactory during the rainy season; and

Whereas, During the past many school students were unable to reach their schools during certain rainy periods as the roads were impassable; now, therefore, be it

Resolved by the House of Representatives of Texas, the Senate concurring, That the State Highway Department be and the same is hereby authorized and requested to loan such equipment as it now has available to the district in which Henderson County is located for the purpose and use of oiling and repairing certain roads, it being understood that such equipment shall remain in the custody of the Commissioner's Court of Henderson County for the purpose and use of oiling and repairing certain roads in Henderson County, Texas, only so long as needed for this purpose and no burden of any kind shall be placed on the State Highway Department by reason of such loan.

The resolution was read second time, and was adopted.

ENDORISING THE CRIPPLED CHILDREN'S HOSPITAL OF MARLIN, TEXAS

Mr. Derden offered the following resolution:

Whereas, There are thousands of crippled children living in Texas and the great Southwest who are greatly in need of scientific and medical treatment; and

Whereas, It has been definitely established that bathing in warm mineral water connected with other scientific care crippled children can be greatly aided and often times cured; and

Whereas, In the town of Marlin, Texas, we have an inexhaustible supply of hot mineral water which has been tried and proven to be success-

ful in the treatment of crippled children; and

Whereas, The citizens of Marlin together with the aid of a number of civic organizations have spent more than Forty Thousand Dollars in the erection and establishment of a modern hospital for the treatment and care of crippled children, which said hospital has now been open and in operation for a period of two years; and

Whereas, Hundreds of crippled children have been treated in this hospital and have been greatly helped and often times cured; and

Whereas, The treatment of crippled children is further advanced in the hospital at Marlin than at any other point or location in the Southwest; and

Whereas, The territory of the great Southwest is so large in area that it becomes advisable to have such a commendable service as the treatment of crippled children to be located in strategic points rather than to become centralized in one locality; and

Whereas, The town of Marlin, located in Central Texas, is already widely and definitely established as a health resort and has made such splendid progress in the treatment of crippled children; now, therefore, be it

Resolved by the House of Representatives, That the House approve and endorse the work that has been done and is being done at the Crippled Children's Hospital located in Marlin, Texas, and that the citizens of Marlin and the public spirited citizens who have given their loyal support to the work that is being done there be further assured of the sincere moral support of this Honorable Body and that they be commended for the splendid effort which has been made to aid and to cure these unfortunate children; and, be it further

Resolved, That the Chief Clerk of the House send a copy of this resolution to the Honorable Franklin D. Roosevelt, President of the United States, who is known to be definitely interested in the little ones who are crippled and afflicted, and who has shown such deep interest in their welfare wherever they may be.

DERDEN,
HARRELL.

The resolution was read second time, and was adopted.

RELATIVE TO CERTAIN AD-
JOURNMENT PERIOD

Mr. Kelt offered the following resolution:

Whereas, The House of Representatives has long since passed at least four tax measures which would raise all the revenue necessary for the State, if passed by the Senate, and approved by the Governor, but so far the Senate has failed to act for some reason, thereby nullifying the work of the House; therefore, be it

Resolved, That the House remain in session until June 12, unless the Senate should act upon these measures before that date.

The resolution was read second time.

Mr. Thornton raised a point of order, on consideration of the resolution, at this time, on the ground that the time allotted for the consideration of resolutions had expired.

The Speaker sustained the point of order.

EXPRESSING LEGISLATIVE IN-
TENT IN REGARD TO CER-
TAIN LEGISLATION

The Speaker laid before the House, for consideration at this time, the following resolution:

S. C. R. No. 65, Expressing legislative intent in regard to certain legislation.

Be It Resolved by the Senate of the Legislature of the State of Texas, the House of Representatives concurring, That the 'Motor Carrier Act', and amendments thereto, of this State, shall be construed, pending further legislative enactment with reference thereto, to mean that it shall not be necessary for a private carrier to procure a permit from the Railroad Commission of Texas to transport his own goods, wares, and merchandise in his own motor vehicles over the highways of this State; that it was not the intention of the Legislature in enacting the 'Motor Carrier Act' of this State, and amendments thereto, to include the regulation of motor vehicles upon the highways of this State owned by persons, firms, and corporations and operated in the transportation of goods, wares, and merchandise owned by the owner of said vehicles; and, be it further

Resolved, That the fact that a seller of merchandise who transports such merchandise from one place to an-

other in the motor trucks owned by the seller, who adds to the sale price of such merchandise at point of delivery a charge to cover a part or all of the cost of transportation is not engaged in transporting for hire, as that term is defined in the Motor Carrier Act of this State, and is not subject to the provisions of said Act nor to any rule or regulation promulgated pursuant thereto by the Railroad Commission of the State of Texas; be it further

Resolved, That this resolution be published to the Railroad Commission of Texas, the law enforcement officers and the courts of this State.

The resolution was read second time.

Mr. Reed of Dallas moved that the resolution be referred to the Committee on Highways and Motor Traffic.

Mr. Jones of Wise moved to table the motion.

Question recurring on the motion to table the motion to refer, yeas and nays were demanded.

The motion to table prevailed by the following vote:

Yeas—100

Adkins	Harper
Alexander	Harris of Dallas
Alsup	Hartzog
Amos	Heflin
Baker	Herzik
Bates	Hoskins
Beckworth	Huddleston
Bell	Hull
Boethel	Jackson
Boyer	James
Bradbury	Johnson of Ellis
Bridgers	Johnson
Brown	of Tarrant
Burton	Jones of Angelina
Cathey	Jones of Atascosa
Cauthorn	Jones of Falls
Celaya	Jones of Wise
Cleveland	Keefe
Davis of Haskell	Kelt
Davis of Jasper	Kern
Davisson	King
of Eastland	Knetsch
Deglandon	Lankford
Derden	Lanning
Dollins	Leath
Farmer	Leonard
Fielden	London
Fox	Lucas
Gibson	Mann
Hamilton	Mauritz
Hankamer	Mays
Hardin	McConnell

McDonald	Schuenemann
McFarland	Settle
Metcalfe	Sharpe
Moffett	Shell
Monkhouse	Simpson
Morse	Smith
Newton	of Matagorda
Palmer	Stevenson
Oliver	Stocks
Patterson of Mills	Talbert
Patterson	Tarwater
of Travis	Tennant
Petsch	Tennyson
Pope	Vale
Powell	Walker
Ragsdale	Weldon
Reed of Bowie	Westbrook
Roark	Winfree
Ross	Wood
Rutta	Worley

Nays—25

Blankenship	Keith
Bond	Langdon
Broadfoot	McKinney
Cagle	Morris
Callan	Prescott
Carssow	Reed of Dallas
Davison of Fisher	Rhodes
Felty	Russell
Fuchs	Sewell
Hanna	Smith of Tarrant
Harrell	Thornton
Holland	Waggoner
Howard	

Absent

Bradford	Loggins
Colquitt	McCracken
Dickison	McKee
England	Nicholson
Graves	Quinn
Harbin	Reader
Harris of Archer	Riddle
Harris of Dickens	Smith of Hopkins
Kenyon	Stinson
Leyendecker	Thornberry
Little	

Absent—Excused

Dean	Skaggs
Hyder	

Question then recurring on the resolution, it was adopted.

REQUEST OF SENATE GRANTED

On motion of Mr. Tennyson, the House granted the request of the Senate for a conference committee to adjust the differences between the two Houses on Senate Bill No. 405.

In accordance with the above action, the Speaker announced the appointment of the following committee:

Messrs. Tennyson, Lanning, Worley, Bradford and Gibson.

HOUSE BILL NO. 1081 WITH
SENATE AMENDMENTS

Mr. Holland called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 1081, A bill to be entitled "An Act making it unlawful to trap, snare, shoot, catch or kill any wild fox in Bell County for a period of two years (2) years, providing a penalty, and declaring an emergency."

The Speaker laid the bill before the House with the Senate amendments.

On motion of Mr. Holland, the House concurred in the Senate amendments.

HOUSE BILL NO. 1002 WITH
SENATE AMENDMENTS

Mr. Patterson of Travis called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 1002, A bill to be entitled "An Act to fix salaries and compensation of County Commissioners in counties with a population of not less than 77,600 inhabitants nor more than 88,000 inhabitants according to the last Federal Census as same now exists, or may hereafter exist, and/or having an assessed valuation of not less than \$40,000,001.00 nor more than \$50,000,000.00, according to the last approved tax rolls, as same now exists or may hereafter exist, and providing for the manner of payment of the salaries and the funds from which said salaries shall be paid; and repealing all laws in conflict herewith, and declaring an emergency."

The Speaker laid the bill before the House with the Senate amendments.

On motion of Mr. Patterson of Travis, the House concurred in the Senate amendments by the following vote:

Yeas—125

Adkins	Bond
Alexander	Boyer
Alsup	Bradbury
Amos	Bradford
Baker	Bridgers
Beckworth	Broadfoot
Bell	Brown
Blankenship	Burton
Boethel	Cagle

Callan	Lucas
Carssow	Mann
Cathey	McConnell
Cauthorn	McDonald
Cleveland	McKinney
Colquitt	Metcalfe
Davis of Haskell	Moffett
Davis of Jasper	Monkhousé
Davison of Fisher	Morris
Davison	Morse
of Eastland	Newton
Deglandon	Nicholson
Derden	Palmer
Dickison	Oliver
Dollins	Patterson
Farmer	of Travis
Fielden	Petsch
Fox	Pope
Fuchs	Powell
Gibson	Prescott
Graves	Quinn
Hamilton	Reader
Hankamer	Reed of Bowie
Hanna	Reed of Dallas
Hardin	Rhodes
Harper	Riddle
Harrell	Roark
Harris of Dallas	Ross
Harris of Dickens	Russell
Hartzog	Rutta
Heflin	Schuenemann
Herzik	Settle
Holland	Sewell
Hoskins	Sharpe
Howard	Shell
Jackson	Simpson
James	Smith of Hopkins
Johnson of Ellis	Smith
Johnson	of Matagorda
of Tarrant	Smith of Tarrant
Jones of Angelina	Stinson
Jones of Atascosa	Stocks
Jones of Falls	Talbert
Jones of Wise	Tarwater
Keefe	Tennant
Keith	Thornberry
Kelt	Thornton
Kenyon	Vale
Kern	Waggoner
King	Walker
Langdon	Weldon
Lankford	Westbrook
Lanning	Winfree
Leath	Wood
Leonard	Worley
London	

Absent

Bates	Hull
Celaya	Knetsch
England	Leyendecker
Felty	Little
Harbin	Loggins
Harris of Archer	Mauritz
Huddleston	Mays

McCracken	Ragsdale
McFarland	Stevenson
McKee	Tennyson
Patterson of Mills	

Absent—Excused

Dean	Skaggs
Hyder	

HOUSE BILL NO. 1169 WITH
SENATE AMENDMENTS

Mr. Howard called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 1169, A bill to be entitled "An Act fixing the compensation of official shorthand reporters in District Courts in all counties having a population in excess of three hundred and fifty-five thousand (355,000) inhabitants, according to the last preceding or any future Federal Census, providing methods of payment, repealing all laws and parts of laws in conflict to the extent of such conflict only, and declaring an emergency."

The Speaker laid the bill before the House with the Senate amendments.

Mr. Howard moved that the House do not concur in the Senate amendments, and that a conference committee be requested to adjust the differences between the two Houses on the bill.

The motion prevailed.

HOUSE BILL NO. 995 WITH
SENATE AMENDMENTS

Mr. Ross called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 995, A bill to be entitled "An Act providing a closed season on quail and doves in Callahan and Eastland Counties, Texas, for a period of three (3) years; providing a penalty for the violation of the terms of this Act, and declaring an emergency."

The Speaker laid the bill before the House with the Senate amendments.

On motion of Mr. Ross, the House concurred in the Senate amendments.

HOUSE BILL NO. 105 WITH
SENATE AMENDMENTS

Mr. Mauritz called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 105, A bill to be entitled "An Act requiring owners of real estate or other taxable property, or their agents or representatives in rendering same for ad valorem taxation to give the post office address of the owner or owners of said property at the time of such rendition; providing a penalty for failure to render such property in the manner herein prescribed, and declaring an emergency."

The Speaker laid the bill before the House with the Senate amendments.

On motion of Mr. Mauritz, the House concurred in the Senate amendments by the following vote:

Yeas—127

Adkins	Harris of Dallas
Alexander	Hartzog
Alsup	Heflin
Amos	Herzik
Baker	Holland
Beckworth	Hoskins
Bell	Howard
Blankenship	Huddleston
Boethel	Hull
Bond	Jackson
Boyer	James
Bradbury	Johnson of Ellis
Bradford	Johnson
Bridgers	of Tarrant
Broadfoot	Jones of Angelina
Brown	Jones of Atascosa
Burton	Jones of Falls
Cagle	Jones of Wise
Callan	Keefe
Carssow	Keith
Cathey	Kelt
Cauthorn	Kenyon
Celaya	King
Cleveland	Knetsch
Davis of Haskell	Langdon
Davis of Jasper	Lankford
Davisson	Lanning
of Eastland	Leath
Deglandon	London
Derden	Lucas
Dickison	Mann
Dollins	Mauritz
Farmer	Mays
Felty	McConnell
Fielden	McDonald
Fox	McFarland
Fuchs	McKinney
Gibson	Moffett
Hamilton	Monkhouse
Hankamer	Morris
Hanna	Morse
Hardin	Newton
Harper	Nicholson
Harrell	Palmer
Harris of Archer	Oliver

Patterson of Mills	Sharpe
Patterson	Shell
of Travis	Simpson
Petsch	Smith of Hopkins
Pope	Smith of Tarrant
Powell	Stinson
Prescott	Stocks
Quinn	Talbert
Reader	Tarwater
Reed of Bowie	Tennant
Reed of Dallas	Tennyson
Rhodes	Thornton
Riddle	Vale
Roark	Waggoner
Ross	Walker
Russell	Weldon
Rutta	Westbrook
Schuenemann	Winfree
Settle	Wood
Sewell	Worley

Absent

Bates	Little
Colquitt	Loggins
Davison of Fisher	McCracken
England	McKee
Graves	Metcalfe
Harbin	Ragsdale
Harris of Dickens	Smith
Kern	of Matagorda
Leonard	Stevenson
Leyendecker	Thornberry

Absent—Excused

Dean	Skaggs
Hyder	

ADDRESS BY MRS. R. J. TURRUTINE

Mr. Graves offered the following resolution:

Whereas, Mrs. R. J. Turrutine, President of Texas Federated Womens Club, is in the city and desires to offer an invitation to the House; therefore, be it

Resolved, That the House of Representatives invite the distinguished visitor to deliver a brief address to the House at 11:30 a. m., on the 13th day of May, 1937.

The resolution was read second time, and was adopted.

In accordance with the above action, the Speaker announced the appointment of Messrs. Graves and Beckworth as a committee to escort Mrs. Turrutine to the Speaker's stand.

Speaker Calvert presented Mr. Beckworth who introduced Mrs. Turrutine.

Mrs. Turrutine then addressed the House.

**CONFERENCE COMMITTEE RE-
PORT ON HOUSE BILL
NO. 352**

Mr. Tennant, Chairman, submitted the following Conference Committee Report on House Bill No. 352:

Committee Room,

Austin, Texas, May 5, 1937.

Honorable Walter F. Woodul, President of the Senate.

Honorable R. W. Calvert, Speaker of the House of Representatives.

Sirs: We, your Conference Committee, appointed to adjust the differences between the Senate and House of Representatives on House Bill No. 352, beg leave to report that we have considered the same and recommend that it do pass in the form as attached hereto.

Respectfully submitted,

HILL,
SULAK,
SHIVERS,
BECK,

On the part of the Senate.

TENNANT,
AMOS,
MORRIS,
CALLAN,

On the part of the House.

H. B. No. 352;

A BILL

To Be Entitled

An Act to provide for the inspection of steam boilers; defining certain terms; requiring a Certificate of Operation and registration of certain boilers; exempting certain boilers from the provisions of the Act; providing for appointment of an Inspector of steam boilers and deputy inspectors; providing that commissions as inspectors may be issued to certain persons; providing for promulgation of rules and regulations by the Commissioner of Labor covering the inspection and operation of steam boilers; providing for certain hearings; providing for collection of fees for boiler inspection; providing for publication of rules and regulations; providing for penalties for failure to comply with the provisions of this Act and rules enacted pursuant thereto; providing for injunction proceedings after notice; providing for clerical assistants and supplies; fixing salaries, and creating a "State Boiler Inspection Fund" and appropriating the

monies deposited in said special fund to pay the expenses of the administration of said Act; and making an appropriation of Twenty Thousand (\$20,000.00) Dollars, or so much thereof as may be necessary, out of the General Fund of the State of Texas for the purpose of paying expenses during the first year of the operation of said Act and providing for the refunding of any amount expended out of said Twenty Thousand (\$20,000.00) Dollars appropriated to the General Fund out of fees collected during the first year of the administration of said law; and appropriating any unexpended balance remaining in said fund at the end of the fiscal year 1937, and appropriating any unexpended balance, not exceeding Ten Thousand (\$10,000.00) Dollars at the end of the fiscal year 1938 and appropriating any unexpended balance remaining in said fund at the end of each succeeding fiscal year not to exceed Ten Thousand (\$10,000.00) Dollars for the purpose of enforcing the Act and providing that balances in excess of said Ten Thousand (\$10,000.00) Dollars at the end of the fiscal year 1938 shall be transferred and credited from such special fund to the General Fund of the State; providing a saving clause, and declaring an emergency.

Be It Enacted by the Legislature of the State of Texas:

Section 1. The following terms as used in this Act shall be construed as follows:

"Commissioner" as used herein shall mean the Commissioner of the Bureau of Labor Statistics of the State of Texas;

"Inspector" as used herein shall mean the inspector of steam boilers appointed under the provisions of this Act;

"Deputy" as used herein shall mean any deputy inspector of boilers appointed under the provisions of this Act;

"Boiler" as used herein shall mean any vessel used for generating steam for power or heating purposes;

"Owner or user" as used herein shall mean any person, firm or corporation owning or operating, or in charge of or in control of any boiler as herein defined;

"Safety device" as used herein shall mean any appurtenance attached to

any boiler for the purpose of diminishing the danger of accidents;

"Code of Rules" as used herein shall mean the standard code of rules promulgated and adopted by the Commissioner under the provisions of this Act.

Section 2. No steam boiler, unless otherwise specifically exempted in this Act, shall be operated within the State of Texas unless such boiler has been registered with the Bureau of Labor Statistics and there shall have been issued a Certificate of Operation for such boiler, as hereinafter provided for, and such Certificate of Operation shall remain in full force and effect until expiration unless cancelled for cause by the Commissioner; such Certificate of Operation shall be placed under glass in a conspicuous place on or near the boiler for which it is issued; and no prosecution shall be maintained where the issuance of or the renewal for such Certificate of Operation shall have been requested and shall remain unacted upon; provided, however, if the operation of such boiler without such Certificate of Operation shall constitute a serious menace to the life and safety of any person or persons in or about the premises, the Commissioner or the Inspector of Boilers or any Deputy Inspector, as hereinafter provided for, shall apply to the District Court in a suit brought by either the Attorney General of the State, or any District or County Attorney, in the county in which such boiler is located, for an injunction restraining the operation of said boiler until the unsafe condition restraining its use shall be corrected and a Certificate of Operation issued. In all such cases it shall not be necessary for the attorney bringing the suit to verify the pleadings or for the State to execute a bond as a condition precedent to the issuing of any injunction or restraining order hereunder. The affidavit of the Commissioner that no application for or no Certificate of Operation exists for such boiler, and the affidavit of any Inspector or Deputy Inspector that its operation constitutes a menace to the life and safety of any person or persons in or about the premises, shall be sufficient proof to warrant the immediate granting of a temporary restraining order.

Section 3. The following boilers are exempt from the provisions of this Act:

(1) Boilers under Federal control and stationary boilers at round houses and pumping stations of Railway Companies under the supervision and inspection of the Superintendent of Motive Power of such Railway Companies.

(2) Boilers on which the pressure does not exceed fifteen pounds per square inch;

(3) Automobile Boilers and boilers on road motor vehicles;

(4) Boilers used exclusively for agricultural purposes;

(5) Boilers for heating in buildings occupied solely for residence purposes with accommodations not to exceed four families.

(6) Boilers used for Cotton gins.

Section 4. The Commissioner shall cause to be inspected internally and externally not less frequently than once each twelve months each stationary steam boiler subject to the provisions of this Act. Each portable steam boiler subject to the provisions of this Act shall be inspected externally each time it is moved to a new location, provided that an internal inspection shall be made of each such boiler at least once each twelve months. If such boilers referred to herein are found, upon inspection, to be in a safe condition for operation, a Certificate of Operation shall be issued by the Commissioner for its operation for a period not longer than one year from the date of such inspection. If any inspection authorized hereunder shall show the inspected boiler to be in an unsafe or dangerous condition, the Boiler Inspector or any Deputy may issue a preliminary order requiring such repairs and alterations to be made to such boiler as may be necessary to render it safe for use, and may also order the use of such boiler discontinued until such repairs and alterations are made or such dangerous and unsafe conditions are remedied. Unless such preliminary order be complied with by the owner or user, a hearing before the Commissioner shall be allowed, upon written request, at which the owner or user, making the request, shall have opportunity to appear and show cause why he should not comply with said preliminary order. If it shall thereafter appear to the Commissioner that such boiler is unsafe and that the requirements contained in

said preliminary order should be complied with, or that other things should be done to make said boiler safe, the Commissioner may order or confirm the withholding of the Certificate of Operation for said boiler and may make such requirements as he deems proper for the repair or alteration of said boiler or the correction of such dangerous and unsafe conditions. The Inspector in his discretion, may issue a temporary Certificate of Operation for not to exceed thirty days, pending the making of replacements or repairs. Nothing in this Section shall be construed to limit the authority of the Commissioner as set forth in Section 6 of this Act. "Certificate of Operation" used in this section shall mean the "Certificate of Operation" referred to in Section 2 of this Act.

Section 5. Every insurance company insuring boilers in this State shall, within thirty (30) days after inspecting any steam boiler, file a duplicate report of such inspection with the Commissioner showing the date of such inspection together with the name of the person making such inspection, and such report shall show fully the condition and location of such boiler at the time such inspection was made. Such report shall also state when the policy of insurance was issued by the insurance company on said boiler and the date of expiration of such policy of insurance.

The owner or user of every boiler inspected by an inspector for an insurance company authorized to do business in this State on which such insurance company has issued a policy of insurance after inspection thereof, shall be exempt from other inspections and inspection fees under the provisions of this Act; provided nothing in this Section shall prevent the Commissioner from authorizing the inspection of any insured boiler at any reasonable time when, in the opinion of the Commissioner, such insured boiler may be in an unsafe condition, provided the Commissioner shall contact the insurance company carrying insurance on said boiler and that the inspector for the insurance company carrying such insurance and the Inspector or Deputy Inspector shall jointly and together inspect the boiler, within twenty days, for which inspection no additional charge shall be made as set forth in Section 12 of this Act. The Commissioner is

authorized and has authority to issue a Certificate of Operation to the owner or user of all boilers subject to inspection under this Act, and the owner or user of an insured boiler shall pay the sum of Fifty (50) Cents for each Certificate of Operation issued, and the owner or user of a State inspected boiler shall pay a like sum of Fifty (50) Cents for each Certificate of Operation issued, which said fee shall be and is absorbed by the internal and external inspection fee authorized in Section 12 of this Act. Every insurance company shall notify the Commissioner in writing of the cancellation or expiration of every policy of insurance issued by it with reference to boilers in this State, within twenty (20) days after the expiration or cancellation of said policy, giving the cause or reason for such cancellation or expiration. Such notice of cancellation or expiration shall show the date of the policy and the date when the cancellation or expiration has or will become effective.

Section 6. The Commissioner is hereby authorized and empowered to promulgate and enforce a code of rules and regulations in keeping with standard usage, for the construction, installation, use, maintenance and operation of steam boilers and appurtenances thereof; including the boiler room; and to require such devices and safeguards and other reasonable means and methods to insure safe operation of steam boilers, including the registration thereof with the Bureau of Labor Statistics.

The Commissioner may exchange information and experience data with the department or other administrative authorities of States having boiler inspection divisions or departments in assembling data for the promulgation of rules and regulations authorized under the provisions of this Act.

Before any rule, regulation or order is promulgated, adopted, enforced, amended, modified or repealed by the Commissioner a public hearing shall be held by him, and not less than ten days before such hearing notice thereof shall be published in at least three newspapers published and having general circulation in the State of Texas, such newspapers to be selected by the Commissioner. After the adoption of rules, regulations and orders by the Commissioner, a com-

plete copy of same shall be published in at least three newspapers, as in the notice of the hearing prior to their adoption, on two different days not more than ten days apart, and within thirty days after the adoption of such rules, regulations and orders; provided that in lieu of publishing in newspapers the rules, regulations and orders by the Commissioner, as stated above, the Commissioner may publish and circulate said rules, regulations and orders or the repeal, modification or amendment of any such rule, regulation or order in such form or manner as he may determine; and such rules, regulations and orders shall become effective within ten (10) days after date of notice of adoption thereof or final publication, or at such later time as the Commissioner may, in the rules, regulations and orders, determine. The Commissioner is hereby authorized and empowered, in case of extreme emergency, to promulgate and enforce temporary rules, regulations and orders as he may deem necessary, without publishing the same as hereinabove directed; provided, however, that when such temporary rules, regulations or orders are adopted the same shall not be effective for a period of more than twenty days and no criminal prosecution, as hereinafter provided, shall be had until the provisions of Section 16 of this Act have been complied with.

Section 7. When any interested person shall deem himself aggrieved by any fundamental rule, regulation or order promulgated by the Commissioner, he shall notify the Commissioner of such grievance by formal notice in writing, whereupon the Commissioner shall give consideration of such grievance and may modify, change, alter or amend same upon his own motion; upon failure or refusal of the Commissioner, within ten days, to change, alter or modify such fundamental rule, regulation or order, the Commissioner, shall, upon written application for hearing, cause the same to be held within five days thereafter, at which the person complaining shall have opportunity to show cause, if any, why such fundamental rule, regulation or order complained of should be set aside, altered, amended or repealed.

Section 8. Within thirty (30) days after the passage of this Act the Commissioner shall appoint a suitable

person to be Inspector of Steam Boilers for the State of Texas. Said Inspector of Steam Boilers shall be a resident citizen of Texas for at least five years next preceding to the time of his appointment and shall have had, at the time of such appointment, not less than five years practical experience with Steam Boilers as a steam engineer, boiler-maker or boiler inspector and by examination enable him to judge the safety of boilers for use, and who is neither directly nor indirectly interested in the manufacture, ownership or agency of steam boilers or their appurtenances. It shall be the duty of the Commissioner to appoint one or more Deputy Inspectors as needed with like qualifications of the Inspector of Steam Boilers, and such clerical assistants as may be necessary to carry out the provisions of this Act.

Section 9. The salary of the Inspector of Steam Boilers shall not exceed \$3,000.00 per annum and the salary of each Deputy Inspector shall not exceed \$2,400.00 per annum, and in addition thereto all Inspectors shall be allowed their actual expenses incurred in the performance of their official duties, and for such equipment as may be deemed necessary by the Commissioner. All expenses incident to carrying out the provisions of this Act shall be paid out of the funds in the State Treasury to the credit of the "State Boiler Inspection Fund" on vouchers or warrants issued and signed by the Commissioner and the Comptroller of Public Accounts. The Commissioner may incur such expense for clerical assistants and office supplies as may be necessary, not exceeding Seven Thousand Five Hundred (\$7,500.00) Dollars annually, said sums to be paid by the State Treasurer on warrants drawn by the Comptroller of Public Accounts.

Section 10. The Commissioner may cause the inspection provided for in this Act to be made either by the Inspector of Boilers or any Deputy Inspector, or by any qualified boiler inspector employed by any county, or city and county, or city, or any insurance company, provided that such persons making inspections (other than the Inspector of Boilers or Deputy Inspectors regularly employed by the Commissioner) shall first obtain from the Commissioner a Com-

mission as Inspector showing his qualifications to make such inspections. The Commissioner is vested with full power and authority to determine the qualifications of any applicant or other person seeking a Commission as Inspector, by examination. At the discretion of the Commissioner he may accept, after proper investigation by him, the Commission issued to an inspector by any other state having an examination equal to that of the State of Texas. The Commissioner may rescind at any time, upon good cause being shown therefor, any Commission as Inspector issued by him to any person, and he may at any time, upon good cause being shown therefor and after notice and opportunity for hearing thereon, revoke any Certificate of Operation issued for any steam boiler within this State.

Section 11. Every Inspector receiving a Commission as Inspector shall forward to the Commissioner on forms furnished the Inspector by the Commissioner, within thirty (30) days after an inspection is made, a report of such inspection, in default of which the Commission as Inspector may be cancelled by the Commissioner.

Section 12. The Commissioner shall fix and collect fees for the inspection of steam boilers covered by this Act, not exceeding Two (\$2.50) and fifty/100 Dollars for each external inspection and not to exceed Seven (\$7.50) and fifty/100 Dollars for each internal inspection in each twelve (12) months period. Such fees must be paid by the owner or user before the issuance of a Certificate of Operation for the boiler inspected. No fee shall be charged the owner or user by the Commissioner when the inspection herein provided for has been made by an inspector holding a Commission as Inspector from said Commissioner if the holder of such Commission as Inspector is employed by any county, or city and county, or city, or insurance company, except the charge fixed for Certificate of Operation in Section 5 hereof. All fees collected by the Commissioner under this Act shall be paid into the State Treasury to the credit of the "State Boiler Inspection Fund" together with a detailed report of same, and said monies so deposited in said special fund are hereby appropriated for the purpose of

paying the expenses of the administration of this Act.

Section 13. Any person, firm, corporation, or agent thereof, owning or having the custody, management, use or operation of any steam boiler in this State, who shall violate any provision of this Act, or who violates any rule, regulation or order promulgated by authority hereof by the Commissioner or any regularly employed Inspector authorized to enforce any provision or any rule, regulation or order authorized herein, or any person, firm, corporation or agent thereof coming within any provision of this Act, or any rule, regulation or order authorized herein, who shall fail or refuse to comply therewith, shall be deemed guilty of a misdemeanor and upon conviction therefor shall be subject to a fine of not less than Fifty (\$50.00) Dollars nor more than Two Hundred (\$200.00) Dollars, or by imprisonment in the county jail not to exceed sixty (60) days, or by both such fine and imprisonment.

Section 14. Any owner, manager, superintendent or other person in charge or in control of any factory, mill workshop, mine, store, business house, public or private work, or the lessee or operator of same, or the owner or lessee of any mineral estate in land, or any other place where a steam boiler subject to inspection hereunder is located, who shall refuse to allow any official or employee of the Bureau of Labor Statistics to enter the same and remain thereon or therein for such time as is reasonably necessary, or who shall hinder any such official or employee in any way, or who shall in any way prevent or deter him from carrying out the provisions of this Act, shall be deemed guilty of a misdemeanor and upon conviction shall be fined not to exceed One Hundred (\$100.00) Dollars or by imprisonment in the county jail not to exceed sixty (60) days, or by both such fine and imprisonment.

Section 15. Whenever there shall have been adopted, after notice and hearing as provided for under this Act, any rule, regulation or order, no criminal action shall be maintained against any person involving the violation of any provision of such rule, regulation or order, until the Commissioner shall have given notice of such rule, regulation or order by publishing a complete copy of same in three (3) newspapers published and having

general circulation in the State of Texas, such newspapers to be selected by the Commissioner, once each day for two (2) consecutive days; on and after the fifteenth (15th) calendar day following the date of the last publication such rule, regulation, and order shall be effective and enforceable in any criminal action brought pursuant to this Act. No criminal action shall be maintained against any person involving the violation of any provision or any amendment or modification of any rule, regulation or order of the Commissioner until and unless the said Commissioner shall have promulgated such amendment or modification after its adoption by publishing a complete copy of such amended rule, regulation or order in three (3) newspapers published and having general circulation in the State of Texas once each day for two (2) consecutive days; on and after the fifteenth (15th) calendar day following the date of the last publication, such amendment or modification of such rule, regulation or order shall become effective and enforceable in any criminal action brought pursuant to this Act; provided that in lieu of the publishing in newspapers of rules, regulations, orders, amendments and modifications, as stated above, the Commissioner may publish and circulate said rules, regulations, orders, amendments or modifications in such form or manner as he may determine.

Section 16. An affidavit under the seal of the Commissioner executed by the said Commissioner or the Inspector of Boilers or any Deputy Inspector, setting forth the terms of any order of the Commissioner and that it has been adopted, promulgated and published, and was in effect at any date during any period specified in such affidavit, shall be prima facie evidence of all such facts, and such affidavit shall be admitted in evidence in any action, civil or criminal, involving such order and the publication thereof without further proof of such promulgation, adoption of publication and without further proof of its contents.

Section 17. The funds collected under the provisions of this Act shall be paid into the State Treasury and kept in a special fund to be known as the "State Boiler Inspection Fund" and shall be paid out for salaries, traveling expenses and other necessary expenses specified in this Act

and upon proper account duly approved by the Commissioner.

Section 18. There is hereby appropriated out of the General Revenue Fund of the State of Texas the sum of Twenty Thousand (\$20,000.00) Dollars, or so much thereof as may be necessary not otherwise appropriated, for the purposes of carrying out the provisions of this Act; said amount that may be expended out of this appropriation shall be replaced and refunded to the General Revenue Fund by the Commissioner from fees collected under the terms of this Act during the first year of the operation of this Act. However, any monies remaining in said fund at the end of the fiscal year ending August 31, 1937, are reappropriated to the use of the Commissioner for the purpose of carrying out the provisions of this Act. Any unexpended balance or funds remaining in the "State Boiler Inspection Fund" at the end of the fiscal year ending August 31, 1938, not exceeding Ten Thousand (\$10,000.00) Dollars is hereby appropriated for the use of the Commissioner to carry out the purposes of this Act, and for each succeeding fiscal year any unexpended balance remaining in the "State Boiler Inspection Fund" not exceeding Ten Thousand (\$10,000.00) Dollars shall be carried forward for the purpose of the enforcement of this Act, provided, however any amount remaining in said fund in excess of Ten Thousand (\$10,000.00) Dollars at the end of any fiscal year after 1938 shall revert to the General Revenue Fund of the State of Texas.

Section 19. Should any section, subsection, sentence, clause, phrase, provision or exemption of this Act be declared unconstitutional or invalid for any reason such invalidity shall not affect the remaining portions or provisions hereof.

Section 20. The fact that we do not have a law in Texas providing for the inspection of steam boilers, creates an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days be suspended, and said Rule is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted.

On motion of Mr. Tennant, the

report was adopted by the following vote:

Yeas—121

Adkins	King
Alexander	Knetsch
Alsup	Langdon
Amos	Lankford
Baker	Lanning
Bates	Leath
Beckworth	Jones of Wise
Bell	Leonard
Blankenship	Little
Boethel	London
Bond	Lucas
Boyer	Mann
Bradbury	Mauritz
Bradford	Mays
Brown	McConnell
Cagle	McCracken
Callan	McDonald
Carssow	McFarland
Cauthorn	McKee
Celaya	McKinney
Colquitt	Metcalfe
Davis of Haskell	Moffett
Davis of Jasper	Monkhouse
Davisson	Morris
of Eastland	Morse
Deglandon	Newton
Derden	Nicholson
Dickison	Palmer
Dollins	Oliver
Farmer	Patterson of Mills
Fox	Patterson
Fuchs	of Travis
Gibson	Petsch
Graves	Prescott
Hamilton	Quinn
Hankamer	Ragsdale
Hanna	Reed of Dallas
Hardin	Rhodes
Harper	Roark
Harrell	Ross
Harris of Archer	Russell
Harris of Dallas	Rutta
Heflin	Schuenemann
Herzik	Settle
Holland	Sewell
Hoskins	Shell
Howard	Simpson
Huddleston	Smith of Hopkins
Hull	Smith
Jackson	of Matagorda
James	Smith of Tarrant
Johnson of Ellis	Stinson
Johnson	Stocks
of Tarrant	Talbert
Jones of Angelina	Tennant
Jones of Atascosa	Tennyson
Jones of Falls	Thornberry
Keefe	Thornton
Keith	Vale
Kelt	Waggoner
Kern	Walker

Weldon
Winfree

Worley

Nays—2

Reed of Bowie

Sharpe

Absent

Bridgers	Hartzog
Broadfoot	Kenyon
Burton	Leyendecker
Cathey	Loggins
Cleveland	Pope
Davison of Fisher	Powell
Dean	Reader
England	Riddle
Felty	Stevenson
Fielden	Tarwater
Harbin	Westbrook
Harris of Dickens	Wood

Absent—Excused

Hyder

Skaggs

SENATE BILL NO. 138 ON SECOND READING

The Speaker laid before the House, as pending business, on its passage to third reading,

S. B. No. 138, A bill to be entitled "An Act making appropriations for the support and maintenance of the executive and administrative departments and agencies of the State government for the two-year period beginning September 1, 1937, and ending August 31, 1939, and for other purposes; and declaring it unlawful for persons employed in the several departments to engage in political campaigns relating to election or re-election of any candidate or candidates for the head of such department and any public office and prescribing procedure for removal of such employees; and making it unlawful to use any State-owned automobile in connection with any campaign relating to any measures in which the particular department by which the employee is employed is directly interested and/or in behalf of the election or re-election of any person as the head of such department; and prescribing certain other regulations and restrictions in respect to the appropriations made herein, and declaring an emergency."

The bill having heretofore been read second time, with committee amendment No. 1, pending.

The House having agreed to consider the amendment department by department.

Mr. Reader offered the following amendment to this section of the committee amendment relative to the State Comptroller's Department:

Amend committee amendment to Senate Bill No. 138, page 53, line 39 by striking out the figures "\$3,300.00" in both columns and inserting in lieu thereof "\$4,800.00".

On motion of Mr. Thornton, the amendment was tabled.

Mr. Stinson offered the following amendment to this section of the committee amendment:

Amend Senate Bill No. 138 committee amendment, page 53, line 40, by striking out the figures "\$1,500.00, \$1,500.00" and insert in place thereof the following: "\$1,854.00, \$1,854.00."

On motion of Mr. Thornton, the amendment was tabled.

Question—Shall committee amendment No. 1 be adopted?

HOUSE BILLS ON FIRST READING

Mr. Morris moved to introduce, at this time, and have placed on first reading, House Bill No. 1180.

The motion prevailed by the following vote:

Yeas—123

Adkins	Felty
Alexander	Fielden
Alsup	Fox
Amos	Gibson
Baker	Hamilton
Beckworth	Hankamer
Blankenship	Hanna
Boethel	Hardin
Bond	Harper
Boyer	Harrell
Bradbury	Harris of Archer
Bradford	Harris of Dallas
Broadfoot	Hartzog
Brown	Heflin
Burton	Holland
Cagle	Hoskins
Callan	Howard
Carssow	Huddleston
Cathey	Hull
Cauthorn	Jackson
Celaya	James
Cleveland	Johnson of Ellis
Colquitt	Johnson
Davis of Haskell	of Tarrant
Davis of Jasper	Jones of Angelina
Davisson	Jones of Atascosa
of Eastland	Jones of Falls
Deglandon	Jones of Wise
Dickison	Keefe
Dollins	Keith
Farmer	Kenyon

Kern	Reed of Dallas
King	Rhodes
Knetsch	Riddle
Langdon	Roark
Lankford	Russell
Lanning	Rutta
Leath	Schuenemann
Leonard	Settle
London	Sewell
Lucas	Sharpe
Mann	Shell
Mauritz	Simpson
Mays	Smith of Hopkins
McConnell	Smith
McDonald	of Matagorda
McFarland	Smith of Tarrant
Moffett	Stinson
Monkhouse	Stocks
Morris	Talbert
Morse	Tarwater
Newton	Tennant
Nicholson	Tennyson
Palmer	Thornberry
Oliver	Thornton
Patterson of Mills	Vale
Patterson	Waggoner
of Travis	Walker
Petsch	Weldon
Pope	Westbrook
Prescott	Winfree
Quinn	Wood
Reader	Worley
Reed of Bowie	

Absent

Bates	Leyendecker
Bell	Little
Bridgers	Loggins
Davison of Fisher	McCracken
Derden	McKee
England	McKinney
Fuchs	Metcalfe
Graves	Powell
Harbin	Ragsdale
Harris of Dickens	Ross
Herzik	Stevenson
Kelt	

Absent—Excused

Dean	Skaggs
Hyder	

The Speaker then laid the bill before the House, it was read first time, and referred to the appropriate committee, as follows:

By Mr. Morris and Mr. Lankford:

H. B. No. 1180, A bill to be entitled "An Act fixing the compensation of County Auditors in every county having a population of not less than forty-nine thousand (49,000) nor more than fifty-two thousand (52,000) inhabitants according to the last

preceding United States Census and prescribing how the same shall be paid; repealing all laws in conflict herewith, and declaring an emergency."

Referred to the Committee on Counties.

Mr. Felty moved to introduce, at this time, and have placed on first reading, House Bill No. 1181.

The motion prevailed by the following vote:

Yeas—114

Adkins	Johnson of Ellis
Alexander	Johnson
Alsup	of Tarrant
Amos	Jones of Angelina
Baker	Jones of Atascosa
Beckworth	Jones of Falls
Blankenship	Jones of Wise
Boethel	Keefe
Bond	Keith
Boyer	Kelt
Bradbury	Kern
Bradford	King
Bridgers	Knetsch
Broadfoot	Langdon
Brown	Lankford
Burton	Lanning
Callan	Leath
Carssow	Little
Cauthorn	London
Cleveland	Lucas
Colquitt	Mann
Davis of Haskell	Mauritz
Davis of Jasper	Mays
Davison of Fisher	McConnell
Davison	McDonald
of Eastland	McKee
Deglandon	Moffett
Derden	Monkhouse
Dickson	Morse
Dollins	Newton
Farmer	Nicholson
Felty	Oliver
Fielden	Patterson of Mills
Fox	Patterson
Gibson	of Travis
Hamilton	Powell
Hankamer	Prescott
Hanna	Quinn
Hardin	Ragsdale
Harper	Reader
Harris of Archer	Reed of Bowie
Harris of Dallas	Rhodes
Heflin	Roark
Herzik	Ross
Holland	Russell
Howard	Rutta
Huddleston	Schuenemann
Hull	Settle
Jackson	Sewell
James	Sharpe
	Simpson

Smith of Hopkins	Thornton
Smith	Vale
of Matagorda	Waggoner
Smith of Tarrant	Walker
Stocks	Weldon
Talbert	Winfree
Tennant	Wood
Tennyson	Worley
Thornberry	

Absent

Bates	Loggins
Bell	McCracken
Cagle	McFarland
Cathey	McKinney
Celaya	Metcalfe
England	Morris
Fuchs	Palmer
Graves	Petsch
Harbin	Pope
Harrell	Reed of Dallas
Harris of Dickens	Riddle
Hartzog	Shell
Hoskins	Stevenson
Kenyon	Stinson
Leonard	Tarwater
Leyendecker	Westbrook

Absent—Excused

Dean	Skaggs
Hyder	

The Speaker then laid the bill before the House, it was read first time, and referred to the appropriate committee, as follows:

By Mr. Felty, Mr. Reader and Mr. Carssow:

H. B. No. 1181, A bill to be entitled "An Act providing relief for the Sayers Common School District No. 21, in Bexar County, Texas, in replacing and repairing damage to buildings and equipment caused by a calamitous cloud burst and hail storm about February 14, 1937, making an appropriation for said district to replace and repair such damage, and declaring an emergency."

Referred to the Committee on Appropriations.

MOTION TO INSTRUCT CONFERENCE COMMITTEE ON SENATE BILL NO. 140

Mr. Ragsdale submitted the following motion:

"I move that the House conferees on Senate Bill No. 140 be instructed to reduce the total amount appropriated in said Senate Bill No.

140 by not less than 5% of the total amount contained in said bill as finally passed by the House of Representatives."

RAGSDALE,
WOOD,
PRESCOTT,
HARDIN.

Mr. Graves moved to table the motion by Mr. Ragsdale.

The motion to table prevailed.

MESSAGE FROM THE SENATE

Austin, Texas, May 13, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House the Senate has refused to concur in House amendments to Senate Bill No. 491 and requests the appointment of a conference committee to adjust the differences between the two Houses.

The following have been appointed on the part of the Senate:

Senators Westerfeld, Spears, Sulak, Brownlee and Hill.

Has concurred in House amendments to Senate Bill No. 489 by the following vote: Yeas, 30; Nays, 0.

Concurred in House amendments to Senate Bill No. 270 by the following vote: Yeas, 29; Nays, 1.

Concurred in House amendments to Senate Bill No. 438 by the following vote: Yeas, 30; Nays, 0.

Concurred in House amendments to Senate Bill No. 208 by a viva-voce vote:

The Senate has granted the request of the House for a conference committee to adjust the differences between the two Houses on House Joint Resolution No. 26.

The following have been appointed on the part of the Senate:

Senators Van Zandt, Shivers, Holbrook, Rawlings and Roberts.

Has adopted the conference committee report on House Bill No. 352 by the following vote: Yeas, 27; Nays, 1.

Has passed

S. B. No. 31, A bill to be entitled "An Act creating a lien upon the recovery to guarantee to an attorney-at-law the payment of his fees in cases where the attorney is employed other than on a cash basis."

S. B. No. 53. A bill to be entitled "An Act prohibiting the building or

erecting within five hundred (500) feet of the central line of any designated State highway or federal highway in the State of Texas, a line to carry or transmit electric power or energy in excess of thirty thousand (30,000) volts; and to prohibit the operating or maintaining of such line built or erected after the effective date of this Act; providing that it shall be lawful for such line to be built across designated highways and within the limits of incorporated cities and towns or within areas extending one (1) mile from the limits of such incorporated city or town; prescribing penalties for the violation of such Act and providing for the enjoining of any person, association or corporation in suit brought by the Attorney General or by the district or county attorney of any county in which such violation or violations may occur, and declaring an emergency."

S. B. No. 445, A bill to be entitled "An Act to amend Article 4617, Revised Civil Statutes of Texas of 1925, Captioned, 'When wife may convey, et cetera, 'enlarging the scope of its meaning, and creating an emergency."

S. B. No. 446, A bill to be entitled "An Act providing relief for the Timpson Independent School District, Shelby County, Texas, in order to aid said school to rebuild school building destroyed by fire, making an appropriation for said district, and declaring an emergency."

S. B. No. 508, A bill to be entitled "An Act validating and approving all proceedings had by cities and towns in the issuance and sale of revenue obligations under the provisions of Articles 1111 to 1118, Revised Civil Statutes of 1925, as amended, to aid in financing any undertaking for which a loan or grant has been made by the United States through the Federal emergency administrator of public works, or any other governmental agency, declaring that such bonds, notes or warrants shall be valid and binding special obligations of such cities or towns, and validating the pledge of revenues to the payment of said bonds, and declaring an emergency."

S. B. No. 450, A bill to be entitled "An Act to amend Subsection (a) of Section 7, H. B. No. 2, Chapter 13, Acts of the Forty-second Legislature, Third Called Session, as amended by

S. B. No. 300, Chapter 136, Acts of the Forty-third Legislature, Regular Session, relating to eligible obligations of the counties or road districts of the State to participate in county and road district highway fund, and declaring an emergency."

S. B. No. 515, A bill to be entitled "An Act to amend H. B. No. 750 as passed by the Forty-fifth Legislature, Regular Session, providing an open season for the killing of wild mourning doves and white winged doves in the north zone and south zones as outlined and defined in Article 878 of the Penal Code of the State of Texas, 1925, as amended by Chapter 222, Acts of the Forty-fourth Legislature, Regular Session; creating a new zone to be known as the Gulf Coastal zone, and declaring an emergency."

Respectfully,

BOB BARKER,

Secretary of the Senate.

REQUEST OF SENATE GRANTED

On motion of Mr. Stinson, the House granted the request of the Senate for a conference committee to adjust the differences between the two Houses on Senate Bill No. 491.

In accordance with the above action, the Speaker announced the appointment of the following committee:

Messrs. Stinson, Harris of Dallas, McCracken, Felty and Vale.

BILLS AND RESOLUTION SIGNED BY THE SPEAKER

The Speaker signed, in the presence of the House, after giving due notice thereof, and their captions had been read severally, the following enrolled bills and resolution:

S. B. No. 497, "An Act amending the 'Lower Colorado River Authority Act', Chapter 7, Acts of the Fourth Called Session of the Forty-third Legislature, by adding a new section to be known as Section 14-a, to provide that nothing in Section 14 or elsewhere in said Act shall prohibit the district from acquiring property from or selling property to the City of Austin upon such terms and conditions, and entering into such contractual relations thereto, as the district and the city may mutually agree upon, and declaring an emergency."

S. B. No. 505, "An Act amending Article 2797, Revised Civil Statutes

of Texas, and declaring an emergency."

S. B. No. 500, "An Act creating a Special Road Law for Kent County, Texas, providing that said County may fund or refund designated interest-bearing time warrants in an amount not exceeding \$41,500.00 outstanding against its road and bridge fund as of March 15, 1937, by the issuance of funding bonds and setting forth the method of issuing same; validating all Acts of the commissioners' court and of the county officials of said County in authorizing the levying of taxes to pay principal and interest thereon and in issuing and delivering said warrants; provided that the General Laws pertaining to roads and bridges shall be applicable to said County when not in conflict with the provisions hereof; repealing all laws and parts of laws in conflict herewith; validating all acts and proceedings heretofore passed by the commissioners' court in authorizing the refunding of said time warrants into bonds, and declaring an emergency."

S. B. No. 465, "An Act amending subdivision 3 of Article 199, Title 8, Revised Civil Statutes of Texas of 1925, as amended, Acts. 1929, Forty-first Legislature, First Called Session, and providing for changing and prescribing term and times of holding the Courts in the Third Judicial District of Texas; validating and continuing all processes and writs, bonds and recognizances, and making them returnable to the terms of Court in the several counties in said district as herein fixed; to validate the summoning of grand and petit jurors under the present law so as to render them available under the present Act; to repeal all laws and parts of laws in conflict herewith; providing for and declaring an emergency, and providing time for this Act to take effect."

S. B. No. 483, "An Act amending subdivision 22 of Article 199, Title 8, Revised Civil Statutes of Texas, and providing for changing and prescribing terms and times of holding Court in the 22nd Judicial District of Texas, validating and continuing all process, and writs, bonds and recognizances and making them returnable to the terms of Court in the several counties in said district as herein fixed, to validate the summoning of grand and petit jurors under the present law so as to render them available under the

present Act; enacting proper provisions relative to any term of court that may be in session when this Act takes effect, and declaring an emergency."

S. B. No. 494, "An Act providing that all bonds which have been heretofore issued and sold by all road districts in counties with a population of not less than twenty-five thousand three hundred forty-four and not more than twenty-five thousand four hundred forty-four people, according to the last preceding Federal Census, where the proceeds of the sale of bonds has been expended, in whole or in part, upon a highway which has, since the issuance and sale of said bonds, been temporarily or permanently designated as a part of the State Highway System, shall be entitled to participate in the State Highway Fund, under the provisions and restrictions of Chapter 136, Acts of the Forty-third Legislature of Texas, 1933, and declaring an emergency."

S. B. No. 322, "An Act granting to Tom J. Taylor of Burnet County, Texas, the right or permission, to bring suit against the State of Texas and/or the State Highway Department, in any court of competent jurisdiction in Travis County, Texas, and declaring an emergency."

S. B. No. 486, "An Act amending S. B. No. 527 passed at the Regular Session of the Forty-third Legislature, 1933; providing for changing and prescribing times of holding court in the 84th Judicial District of Texas; validating and continuing all processes and writs, bonds, and recognizances, and making them returnable to the terms of courts in the several counties in said district as herein fixed; validating the summoning of grand and petit jurors under the present law so as to render them available under the present Act; enacting proper provisions relative to any term of court that may be in session when this Act takes effect; repealing all laws in conflict herewith, and declaring an emergency."

S. B. No. 480, "An Act to amend Article 7057b, Section 2, Revised Civil Statutes, H. B. No. 11, Act of the Regular Session, Forty-third Legislature, so as to clarify the kind of suits to be included in a class action as provided in Section 2 of said Article; to provide that suit may be filed in a court of competent jurisdiction in Travis County, Texas, when the total

taxes accrued comes in the jurisdiction of said court; to provide that original petitions may be amended to include additional taxes paid under protest; providing that the provisions of this Act shall apply to taxes paid under protest and where suits are now pending testing the validity and correctness of such taxes, and declaring an emergency."

S. B. No. 496, "An Act relating to the time for holding court in the several counties constituting the 119th Judicial District of Texas, composed of the Counties of Coleman, Concho, Runnels and Tom Green, fixing the terms of holding court in each county, amending Chapter 367, Acts of the Regular Session of the Forty-second Legislature, 1931, as amended by Chapter 24, Acts of the First Called Session of the Forty-third Legislature, repealing all laws in conflict therewith, and declaring an emergency."

S. B. No. 509, "An Act prescribing the method for the annexation of unoccupied territory contiguous and adjacent to the city limits of certain incorporated cities or towns, on petition of the owners of all such territory; providing for the recording of such petitions, and declaring an emergency."

S. B. No. 467, "An Act to amend Article 2792, Revised Civil Statutes of Texas, so as to provide that where the trustees of an independent school district have the county assessor and collector of taxes assess and collect the taxes for said district, the property of such district may be assessed at a greater value than the property is assessed for county and state purposes; provided, that such property may not be assessed at a greater valuation than its fair market value, or if it has no market value, than its intrinsic value, and declaring an emergency."

S. B. No. 305, "An Act appropriating the fund provided for the use and benefit of the Comptroller in the administration and enforcement of the provisions of the Act as provided for in Section 9 of H. B. No. 89, Chapter 353, Acts of the Regular Session of the Forty-fourth Legislature, for the use and benefit of the Comptroller in administration of said Act from and after May 30, 1937, for the remainder of the fiscal year ending August 31, 1937, and declaring an emergency."

S. B. No. 352, "An Act making an appropriation from the Treasury of the State of Texas from any funds not otherwise appropriated, to the Upper Colorado River Authority; providing for the method of drawing warrants; providing for the payment thereof, and declaring an emergency."

S. B. No. 466, "An Act to authorize the exclusion of certain territory from any fresh water supply district before the issuance of bonds and levy of taxes, and declaring an emergency."

S. B. No. 477, "An Act defining the term 'taxing unit,' and declaring an emergency."

S. B. No. 393, "An Act making an emergency appropriation to the State Health Department out of the General Fund in the State Treasury, and declaring an emergency."

S. C. R. No. 66, To suspend certain Joint Rules.

CONFERENCE COMMITTEE APPOINTED ON HOUSE BILL NO. 1169

The Speaker announced the appointment of the following conference committee, on the part of the House, on House Bill No. 1169:

Messrs. Howard, Heflin, Smith of Tarrant, Johnson of Tarrant and Carssow.

RECESS

On motion of Mr. Smith of Hopkins, the House, at 12:10 o'clock p. m., took recess until 2:00 o'clock p. m., today.

AFTERNOON SESSION

The House met at 2:00 o'clock p. m., and was called to order by the Speaker.

LEAVES OF ABSENCE GRANTED

(By unanimous consent)

Mr. Adkins was granted leave of absence for the balance of the day, on account of illness, on motion of Mr. Jones of Falls.

The following members of the conference committee on Senate Bill No. 179 were granted leaves of absence for this afternoon: Messrs. Herzik, Kern, Ross, Wood and Waggoner.

Mr. Howard was granted leave of absence for the balance of the day

and tomorrow, on account of important business, on motion of Mr. McKee.

Mr. Simpson was granted leave of absence for the remainder of the day and tomorrow, on account of important business, on motion of Mr. Harrell.

Mr. Sewell was granted leave of absence for the remainder of the day and tomorrow, on account of important business, on motion of Mr. Keefe.

MESSAGE FROM THE SENATE

Austin, Texas, May 13, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has concurred in House amendments to Senate Bill No. 142 by the following vote: Yeas, 21; Nays, 1.

Concurred in House amendments to Senate Bill No. 471 by a viva-voce vote.

Passed

S. B. No. 198, A bill to be entitled "An Act amending Chapter 11 of Title 49 of the Revised Civil Statutes by adding thereto a new article to be known as Article 2687b, providing that boards of trustees of common and independent school districts and county boards of trustees shall purchase all passenger automobiles, trucks, busses and other motor equipment only through the State Board of Control; and requiring adoption of a resolution by a majority of the members of such boards at a regular meeting requesting the State Board of Control to purchase such motor equipment, and providing what facts shall be set forth in such resolution, and requiring the execution of a requisition for such equipment and transmission thereof to the State Board of Control; and providing that the State Board of Control shall determine the type of equipment to be used, and for the standardization of such equipment throughout the State, and fixing the type of glass to be used in certain of such motor equipment, and requiring all purchases under this Act to be upon competitive bids, and repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

S. B. No. 513, A bill to be entitled "An Act providing relief for the

Vienna Common School District No. 50 in Lavaca County in replacing and repairing damage to buildings and equipment caused by a calamitous flood resulting from a cloudburst on July 1st, 1936, making an appropriation for said districts to replace and repair such damage, and declaring an emergency."

H. B. No. 16, A bill to be entitled "An Act to add new sections to be known as Sections 6-A, 8-A, 8-B, 8-C, 9-A, 9-B, 9-C, 16-A, 16-B, 16-C, 16-D, 19-A, 19-B, 19-C, 19-D, and 19-E to, and to amend Sections 7, 15 and 17 of Senate Bill No. 15, Chapter 466, page 1785, of the General and Special Laws passed by the Second Called Session of the Forty-fourth Legislature, of the State of Texas, which Act relates to the examination of applicants for operators or chauffeur's license." (With amendments.)

S. C. R. No. 63, Authorizing National Biscuit Company to sue the State.

S. B. No. 267, A bill to be entitled "An Act granting to the Sabine-Neches Conservation District, power and Authority to carry on Soil Conservation work within the boundaries of said District; prescribing the duties of the Board of Directors of the Sabine-Neches Conservation District in connection with the administration of this Act; providing for the creation of Soil Conservation sub-districts to engage in conserving soil resources and preventing and controlling soil erosion; defining the power and duties of such Soil Conservation sub-district, and providing for the exercise of such powers, including power to acquire property by purchase, gift or otherwise; empowering such sub-districts to adopt programs and regulations for the discontinuance of land-use practices contributing to soil erosion, and the adoption and carrying out of soil conserving land-use practices, and providing for the enforcement of such programs and regulations; providing a penalty for the violation of such regulations; providing for establishing boards of adjustment in connection with land-use regulations and defining their functions and powers; providing for discontinuance of sub-districts; granting and donating to the District for a period of twenty years thirty-five per cent (35%) of all the State ad valorem taxes in the following counties which

lie wholly within the watershed of the Sabine and Neches rivers, to-wit: Smith, Wood, Angelina, Nacogdoches, Cherokee, San Augustine, Sabine, Jasper, Newton, Panola, Rusk, Shelby, Rains and Gregg; Amending Section 3, Section 4, Section 5 and Section 7, of Chapter 97, Acts of the Regular Session of the Forty-fourth Legislature; making an appropriation; providing a saving clause and declaring an emergency."

Concurred in House amendments to Senate Bill No. 84, by the following vote: Yeas, 22; Nays, 6.

Respectfully,

BOB BARKER,
Secretary of the Senate.

CONFERENCE COMMITTEE APPOINTED

The Speaker announced the appointment of the following conference committee, on the part of the House, on House Bill No. 838: Messrs. Graves, Cagle, Reed of Dallas, Jones of Falls and Stevenson.

RELATIVE TO HOUSE BILL NO. 1053

Mr. Leonard moved to reconsider the vote by which the House, on yesterday, concurred in the Senate amendment to House Bill No. 1053.

The motion to reconsider prevailed.

Mr. Leonard withdrew the motion that the House concur in the Senate amendments to House Bill No. 1053.

Mr. Leonard then moved that the House do not concur in the Senate amendments, and that a conference committee be requested to adjust the differences between the two Houses on the bill.

The motion prevailed.

TO PROVIDE FOR NIGHT SESSION TO CONSIDER CERTAIN BILLS

Mr. Winfree offered the following resolution:

Whereas, All local and uncontested bills on the House calendar of last night were not finally disposed of; and

Whereas, Many Members have introduced bills designed to make appropriations to care for public school buildings and/or equipment which have recently been destroyed by disastrous fires and other ravages of the elements; and

Whereas, These bills have been favorably reported out of committee and now await action of the House of Representatives; and

Whereas, The purposes of these bills are most worthy and meritorious; now, therefore, be it

Resolved by the House of Representatives, That Thursday evening, May 13th, 1937, be set aside for the consideration of such local and uncontested bills which were on the House calendar last night and not finally disposed of, and all bills making appropriations to care for public school buildings and/or equipment.

WINFREE,
SMITH of Hopkins,
LUCAS.

The resolution was read second time.

Mr. Wood moved to table the resolution by Mr. Winfree.

The motion to table was lost.

Mr. Wood offered the following amendment to the resolution:

Amend the resolution, to read as follows:

"Said bills shall be considered between the hours of 5:00 p. m. and 6 p. m., Friday the 14th."

Question recurring on the amendment by Mr. Wood, yeas and nays were demanded.

The amendment was adopted by the following vote:

Yeas—54

Alsup	Mauritz
Bond	McFarland
Bradford	Moffett
Broadfoot	Morris
Carsow	Nicholson
Colquitt	Patterson
Davis of Haskell	of Travis
Derden	Petsch
England	Prescott
Felty	Quinn
Fuchs	Rhodes
Harper	Riddle
Harris of Archer	Russell
Heflin	Settle
Hull	Sharpe
James	Smith of Hopkins
Johnson of Ellis	Smith
Jones of Atascosa	of Matagorda
Keith	Stevenson
Kern	Stinson
King	Stocks
Langdon	Talbert
Lanning	Tarwater
Leyendecker	Tennant
London	Tennyson
Lucas	Thornberry

Vale
Walker

Wood
Worley

Nays—52

Amos
Baker
Beckworth
Blankenship
Brown
Burton
Callan
Cathey
Cleveland
Davis of Jasper
Davisson
of Eastland
Deglandon
Dollins
Farmer
Fielden
Fox
Gibson
Graves
Hamilton
Hanna
Harbin
Hardin
Holland
Hoskins
Huddleston
Jackson

Johnson
of Tarrant
Jones of Angelina
Jones of Falls
Jones of Wise
Knetsch
Lankford
Leath
Leonard
Loggins
McConnell
McKee
McKinney
Metcalfe
Monkhouse
Oliver
Palmer
Patterson of Mills
Reader
Reed of Bowie
Ross
Schuenemann
Shell
Skaggs
Weldon
Westbrook
Winfree

Absent

Alexander
Bates
Bell
Boethel
Boyer
Bradbury
Bridgers
Cagle
Cauthorn
Celaya
Davison of Fisher
Dickison
Hankamer
Harrell
Harris of Dallas
Harris of Dickens
Hartzog
Hyder

Keefe
Kelt
Kenyon
Little
Mann
Mays
McCracken
McDonald
Morse
Newton
Pope
Powell
Ragsdale
Reed of Dallas
Roark
Rutta
Smith of Tarrant
Thornton

Absent—Excused

Adkins
Dean
Herzik
Howard

Sewell
Simpson
Waggoner

Question then recurring on the resolution by Mr. Winfree, yeas and nays were demanded.

The resolution was lost by the fol-

lowing vote (not receiving the necessary two-thirds vote):

Yeas—67

Alsup	Lankford
Amos	Leonard
Baker	Loggins
Blankenship	Lucas
Boethel	Mays
Brown	McFarland
Carssow	McKinney
Cauthorn	Moffett
Colquitt	Morris
Davis of Haskell	Newton
Davis of Jasper	Oliver
Davisson	Patterson of Mills
of Eastland	Patterson
Derden	of Travis
Dickison	Prescott
Dollins	Quinn
England	Reader
Felty	Reed of Bowie
Harbin	Reed of Dallas
Hardin	Rhodes
Harper	Riddle
Heflin	Roark
Holland	Russell
Huddleston	Rutta
Hull	Schuenemann
Hyder	Sharpe
Jackson	Shell
Johnson	Skaggs
of Tarrant	Smith of Hopkins
Jones of Angelina	Stocks
Jones of Falls	Thornton
Jones of Wise	Weldon
Kenyon	Westbrook
Kern	Winfree
Knetsch	Worley

Nays—47

Beckworth	Keith
Bond	King
Bradford	Langdon
Broadfoot	Lanning
Burton	Leath
Callan	London
Cathey	McConnell
Celaya	McKee
Cleveland	Metcalfe
Deglandon	Monkhouse
Farmer	Nicholson
Fielden	Petsch
Fox	Powell
Fuchs	Ross
Gibson	Settle
Graves	Stinson
Hamilton	Talbert
Hanna	Tarwater
Harris of Archer	Tennant
Harris of Dickens	Tennyson
Hoskins	Thornberry
James	Walker
Johnson of Ellis	Wood
Jones of Atascosa	

Absent

Alexander	Little
Bates	Mann
Bell	Mauritz
Boyer	McCracken
Bradbury	McDonald
Bridgers	Morse
Cagle	Palmer
Davison of Fisher	Pope
Hankamer	Ragsdale
Harrell	Smith
Harris of Dallas	of Matagorda
Hartzog	Smith of Tarrant
Keefe	Stevenson
Kelt	Vale
Leyendecker	

Absent—Excused

Adkins	Sewell
Dean	Simpson
Herzik	Waggoner
Howard	

SENATE BILL NO. 138 ON PASSAGE TO THIRD READING

The House resumed consideration of pending business, same being Senate Bill No. 138, with committee amendment No. 1, pending.

The House having heretofore agreed to consider the amendment department by department.

Mr. Ross offered the following amendment to the section of the committee amendment relative to State Comptroller's Department:

Amend Senate Bill No. 138, page 54, line 35, item 22, by striking out the word "Bookkeeper" and inserting in lieu thereof the words "Depository Desk and Allocating Clerk".

The amendment was adopted.

Mr. Prescott offered the following amendment to this section of the committee amendment:

Amend committee amendment No. 1 to Senate Bill No. 138, page 56, line 35, by striking out figures "\$3,000.00" and add in lieu thereof "\$2,400.00".

PRESCOTT,
HARDIN.

On motion of Mr. Thornton, the amendment was tabled.

Mr. Reader offered the following amendment to this section of the committee amendment:

Amend Senate Bill No. 138, page 56, line 32, by striking out the figures "1/20" and inserting in lieu thereof the following "1/2".

The amendment was adopted.

Mr. Prescott offered the following amendment to this section of the committee amendment:

Amend committee amendment No. 1 to Senate Bill No. 138, page 57, line 12, by striking out figures "\$5,000.00" and add in lieu thereof "\$3,500.00".

PRESCOTT,
HARDIN.

Mr. Thornton moved to table the amendment by Mr. Prescott.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

Yeas—85

Alsup	Knetsch
Baker	Langdon
Beckworth	Lanning
Blankenship	Leath
Boethel	Loggins
Boyer	London
Bradbury	Lucas
Bradford	Mann
Bridgers	Mauritz
Broadfoot	Mays
Brown	McConnell
Burton	McDonald
Callan	McFarland
Carssow	Monkhouse
Cauthorn	Nicholson
Cleveland	Palmer
Davis of Haskell	Oliver
Davison of Fisher	Patterson of Mills
Deglandon	Patterson
Dickison	of Travis
Dollins	Petsch
England	Quinn
Farmer	Reader
Felty	Reed of Dallas
Gibson	Rhodes
Graves	Roark
Hamilton	Ross
Hankamer	Rutta
Hanna	Schuenemann
Harper	Settle
Harrell	Sharpe
Harris of Dallas	Skaggs
Heflin	Smith
Herzik	of Matagorda
Hull	Stinson
Hyder	Talbert
Jackson	Tarwater
Jones of Angelina	Tennant
Jones of Falls	Tennyson
Jones of Wise	Thornberry
Keith	Thornton
Kelt	Walker
Kenyon	Winfree
King	

Nays—16

Cathey	Fielden
Davis of Jasper	Harbin

Hardin	Powell
Holland	Prescott
Huddleston	Reed of Bowie
Kern	Smith of Hopkins
Moffett	Weldon
Morris	Westbrook

Present—Not Voting

Celaya	Leyendecker
Fox	Pope
Jones of Atascosa	Shell
Leonard	Stevenson

Absent

Alexander	Johnson
Amos	of Tarrant
Bates	Keefe
Bell	Lankford
Bond	Little
Cagle	McCracken
Colquitt	McKee
Davisson	McKinney
of Eastland	Metcalfe
Derden	Morse
Fuchs	Newton
Harris of Archer	Ragsdale
Harris of Dickens	Riddle
Hartzog	Russell
Hoskins	Smith of Tarrant
James	Stocks
Johnson of Ellis	Vale
	Worley

Absent—Excused

Adkins	Simpson
Dean	Waggoner
Howard	Wood
Sewell	

Mr. Hull moved to reconsider the vote by which the House agreed to consider the committee amendment, department by department.

Question recurring on the motion by Mr. Hull, yeas and nays were demanded.

The motion was lost by the following vote:

Yeas—45

Alsup	Hull
Blankenship	Jackson
Bridgers	Johnson
Callan	of Tarrant
Carssow	Jones of Atascosa
Cleveland	Jones of Falls
Davis of Haskell	Keith
Deglandon	Kenyon
Dickison	King
England	Knetsch
Felty	Leonard
Graves	Leyendecker
Hamilton	London
Hankamer	Mann

Mauritz	Settle
McDonald	Smith
McFarland	of Matagorda
Morris	Stinson
Nicholson	Tarwater
Oliver	Thornton
Prescott	Vale
Reed of Bowie	Waggoner
Reed of Dallas	Walker
Russell	

Nays—68

Amos	Little
Beckworth	Loggins
Boethel	Lucas
Bond	Mays
Boyer	McConnell
Bradbury	McKee
Bradford	Moffett
Broadfoot	Monkhouse
Brown	Palmer
Burton	Patterson of Mills
Cathy	Patterson
Cauthorn	of Travis
Celaya	Petsch
Colquitt	Pope
Davis of Jasper	Powell
Farmer	Quinn
Fielden	Ragsdale
Fuchs	Reader
Gibson	Rhodes
Hanna	Roark
Hardin	Ross
Harper	Rutta
Harrell	Schuenemann
Harris of Archer	Sharpe
Herzik	Shell
Holland	Skaggs
Hoskins	Smith of Hopkins
Huddleston	Talbert
Hyder	Tennant
Jones of Angelina	Tennyson
Jones of Wise	Thornberry
Kelt	Weldon
Langdon	Winfree
Lankford	Wood
Lanning	

Absent

Alexander	James
Baker	Johnson of Ellis
Bates	Keefe
Bell	Kern
Cagle	Leath
Davison of Fisher	McCracken
Davison	McKinney
of Eastland	Metcalfe
Derden	Morse
Dollins	Newton
Fox	Riddle
Harbin	Smith of Tarrant
Harris of Dallas	Stevenson
Harris of Dickens	Stocks
Hartzog	Westbrook
Heflin	Worley

Absent—Excused

Adkins	Sewell
Dean	Simpson
Howard	

Mr. Reed of Bowie moved the previous question on the section of the bill relative to the State Comptroller's Department, and the motion was not seconded.

(Mr. Bradbury in the Chair.)

Mr. Prescott offered the following amendment to this section of the committee amendment:

Amend committee amendment No. 1 to Senate Bill No. 138, page 59, line 21, by striking out "\$4,000.00" and add in lieu thereof "\$3,000.00".

PRESCOTT,
HARDIN.

On motion of Mr. Thornton, the amendment was tabled.

Mr. Petsch offered the following amendment to this section of the committee amendment:

Amend Senate Bill No. 138, page 63, line 24, by changing the figures "\$3,000.00" to "\$4,500.00".

PETSCH,
READER.

Mr. Quinn offered the following substitute for the amendment by Mr. Petsch:

Amend the amendment to committee amendment No. 1 to Senate Bill No. 138, by striking out the figures "\$4,500.00" and insert the figures "\$3,600.00".

On motion of Mr. Thornton, the substitute amendment was tabled.

Mr. Thornton then moved to table the amendment by Mr. Petsch.

The motion to table prevailed.

Mr. Patterson of Mills offered the following amendment to this section of the committee amendment:

Amend committee amendment to Senate Bill No. 138, page 55, line 26, by striking out the figures "\$1,350.00" and substituting in lieu thereof the figures "\$1,440.00", and changing the totals for each year from "\$8,100.00" to "\$8,640.00".

The amendment was adopted.

Mr. Prescott offered the following amendment to this section of the committee amendment:

Amend committee amendment No. 1 to Senate Bill No. 138, page 63, line

24, by striking out "\$3,000.00" and insert in lieu thereof "\$2,400.00".

PRESCOTT,
HARDIN.

On motion of Mr. Thornton, the amendment was tabled.

Mr. Prescott offered the following amendment to this section of the committee amendment:

Amend committee amendment No. 1 to Senate Bill No. 138, page 64, lines 9 and 10, by striking out figure "\$38,000.00" and place in lieu thereof the figure "\$20,000.00".

PRESCOTT,
HARDIN.

On motion of Mr. Thornton, the amendment was tabled.

Mr. Kelt moved the previous question on the section of the committee amendment relative to the State Comptroller's Department, and the motion was duly seconded.

Question recurring on the motion for the main question, it prevailed by the following vote:

Yeas—73

Alsup	Jones of Wise
Amos	Keith
Beckworth	Kelt
Blankenship	Kenyon
Boethel	Kern
Bradford	King
Bridgers	Langdon
Brown	Lankford
Callan	Little
Carssow	London
Cleveland	Mauritz
Colquitt	McDonald
Davis of Haskell	McFarland
Davison of Fisher	McKinney
Deglandon	Moffett
Dickison	Monkhouse
Dollins	Nicholson
England	Oliver
Felty	Patterson of Mills
Fox	Powell
Fuchs	Prescott
Gibson	Quinn
Harbin	Reed of Bowie
Harrell	Reed of Dallas
Harris of Dickens	Rhodes
Holland	Roark
Hoskins	Russell
Hull	Schuenemann
Hyder	Settle
Jackson	Shell
Johnson	Smith
of Tarrant	of Matagorda
Jones of Angelina	Stocks
Jones of Atascosa	Talbert

Tarwater
Tennant
Thornton
Vale

Westbrook
Winfree
Worley

Nays—32

Bell	Loggins
Broadfoot	Lucas
Burton	Mays
Cathey	McConnell
Cauthorn	Morris
Celaya	Newton
Davis of Jasper	Palmer
Derden	Patterson
Farmer	of Travis
Fielden	Petsch
Hardin	Reader
Harris of Archer	Rutta
James	Sharpe
Johnson of Ellis	Skaggs
Keefe	Smith of Hopkins
Lanning	Weldon
Leath	

Present—Not Voting

Harper

Absent

Alexander	Jones of Falls
Baker	Knetsch
Bates	Leonard
Bond	Leyendecker
Boyer	Mann
Bradbury	McCracken
Cagle	McKee
Davison	Metcalfe
of Eastland	Morse
Graves	Pope
Hamilton	Ragsdale
Hankamer	Riddle
Hanna	Stevenson
Harris of Dallas	Stinson
Hartzog	Tennyson
Heflin	Thornberry
Huddleston	Walker

Absent—Excused

Adkins	Sewell
Dean	Simpson
Herzik	Smith of Tarrant
Howard	Waggoner
Ross	Wood

Mr. Sharpe offered the following amendment to the section of the committee amendment relative to the State Department of Education:

Amend committee amendment No. 1 on page 67, line 13, by striking out the figures "\$5,000.00" and make it read "\$4,000.00" in both columns.

Mr. Alsup moved to table the amendment by Mr. Sharpe.

Question recurring on the motion

to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

Yeas—79

Alsup	Knetsch
Baker	Lanning
Beckworth	Leath
Bell	Loggins
Blankenship	London
Boyer	Lucas
Bradford	Mauritz
Bridgers	Mays
Broadfoot	McDonald
Callan	McFarland
Carssow	McKinney
Cathey	Moffett
Cauthorn	Monkhouse
Cleveland	Newton
Colquitt	Palmer
Davis of Haskell	Patterson
Derden	of Travis
Dickison	Petsch
Dollins	Pope
Felty	Prescott
Fuchs	Reader
Graves	Reed of Bowie
Hankamer	Rhodes
Harbin	Roark
Hardin	Russell
Harper	Rutta
Harris of Dallas	Schuenemann
Harris of Dickens	Settle
Hartzog	Shell
Heflin	Skaggs
Hull	Smith of Hopkins
Hyder	Smith
Jackson	of Matagorda
Johnson	Stevenson
of Tarrant	Stocks
Jones of Angelina	Talbert
Jones of Falls	Thornberry
Jones of Wise	Thornton
Keith	Vale
Kenyon	Winfree
King	Worley

Nays—26

Bond	Kern
Brown	Lankford
Burton	Leyendecker
Deglandon	Little
England	McConnell
Farmer	Morris
Fielden	Oliver
Gibson	Patterson of Mills
Harris of Archer	Powell
Holland	Sharpe
Huddleston	Tennant
Keefe	Walker
Kelt	Weldon

Absent

Alexander	Jones of Atascosa
Amos	Langdon
Bates	Leonard
Boethel	Mann
Bradbury	McCracken
Cagle	McKee
Celaya	Metcalfe
Davis of Jasper	Morse
Davison of Fisher	Nicholson
Davisson	Quinn
of Eastland	Ragsdale
Fox	Reed of Dallas
Hamilton	Riddle
Hanna	Smith of Tarrant
Harrell	Stinson
Hoskins	Tarwater
James	Tennyson
Johnson of Ellis	Westbrook

Absent—Excused

Adkins	Sewell
Dean	Simpson
Herzik	Waggoner
Howard	Wood
Ross	

Mr. Sharpe offered the following amendment to this section of the committee amendment:

Amend committee amendment No. 1 on page 67, line 15, by changing the figures "\$3,600.00" to read "\$3,000.00" in both columns.

Mr. Harris of Dickens offered the following substitute for the amendment by Mr. Sharpe:

Amend committee amendment No. 1, Senate Bill No. 138, by substituting for Sharpe amendment, page 67, line 15, by making "\$3,000.00" in both columns "\$3,300.00".

The substitute amendment was adopted.

Question then recurring on the amendment, as substituted, it was adopted.

Mr. Stevenson offered the following amendment to this section of the committee amendment:

Amend Senate Bill No. 138, page 67, line 34, item No. 18, by striking out the figures "\$2,400.00" and inserting in lieu thereof "\$3,000.00".

Mr. Alsup moved to table the amendment by Mr. Stevenson.

The motion to table was lost.

Question then recurring on the amendment, it was adopted.

Mr. Derden offered the following amendment to this section of the committee amendment:

Amend committee amendment No. 1 to Senate Bill No. 138, page 67, line 23, by striking out the word "two" and insert the word "one", and change the figures in both columns from "\$2,700.00" to "\$1,350.00".

On motion of Mr. Alsup, the amendment was tabled.

Mr. Derden offered the following amendment to this section of the committee amendment:

Amend committee amendment No. 1 to Senate Bill No. 138, page 67, line 31, by striking out the word "two" and insert the word "one", and change the figures in both columns from "\$2,700.00" to "\$1,350.00".

On motion of Mr. Alsup, the amendment was tabled.

Mr. Derden offered the following amendment to this section of the committee amendment:

Amend committee amendment No. 1 to Senate Bill No. 138, page 67, line 36, by striking out the word "two" and insert the word "one", and reduce the amounts in both columns from "\$2,700.00" to "\$1,350.00".

On motion of Mr. Alsup, the amendment was tabled.

Mr. Derden offered the following amendment to this section of the committee amendment:

Amend Senate Bill No. 138, by striking out lines 34, 35, 36, 37, 38, 39 and 40 on page 69 and lines 4, 5, 6, 7, 8 and 10, page 70, and substitute in lieu thereof the following: "\$3,000.00 to the Chairman-member; \$2,750.00 to the College Examiner-member; \$1,800.00 to the Secretary-member; \$1,600.00 to the Certificate Clerk; and all other help at the rate of not exceeding \$112.50 per month; also \$3,000.00 each year for maintenance, equipment, travel, and contingent expenses; and said balances and fees are hereby appropriated for the purposes of paying said salaries and expenses for each of the two fiscal years ending August 31, 1938, and August 31, 1939."

DERDEN.
BOETHEL.

The amendment was adopted.

Mr. Petsch offered the following amendment to this section of the committee amendment:

Amend Senate Bill No. 138, page 70, by inserting a new paragraph between lines 39 and 40 which shall read as follows:

"The Chief Bond Expert provided for in this Act shall make a careful and thorough investigation of the investment safety and value of all bonds and securities for sale to the Permanent School Fund, and shall make a written report of his conclusions upon all such tenders; said report shall in each instance be entered upon the minutes of the board; and the vote of every member of the Board of Education shall be recorded upon all questions relating to the question of over-riding or following the recommendation of the bond expert."

PETSCH,
BOND,
DAVISON of Fisher,
FIELDEN,
LONDON.

The amendment was adopted.

Mr. Petsch offered the following amendment to this section of the committee amendment:

Amend Senate Bill No. 138, page 72, by inserting between lines "one" and "two" an additional paragraph to read as follows:

"All employees in the Text Book Administration Division shall be appointed by the State Board of Education and such employees shall be under the exclusive supervision and control of such Board and such employees shall be paid with vouchers or warrants signed by the Director of the Division."

PETSCH,
BOND,
DAVISON of Fisher,
FIELDEN,
LONDON.

Mr. Roark offered the following substitute for the amendment by Mr. Petsch:

Amend Senate Bill No. 138, page 72, by inserting between lines "one" and "two" an additional paragraph to read as follows:

"All employees in the Text Book Administration Division shall be appointed by the State Superintendent of Public Instruction with the approval of majority of the State Board of Education."

ROARK.
HARPER.

Mr. Harris of Dallas raised a point of order, on consideration of the amendment, on the ground that the amendment is not germane to the bill.

The Chair overruled the point of order.

Mr. Bond moved to table the substitute amendment by Mr. Roark.

Question recurring on the motion to table the substitute amendment, yeas and nays were demanded.

The motion to table was lost by the following vote:

Yeas—35

Alexander	Keefe
Bates	Keith
Bond	Kelt
Bridgers	Kenyon
Broadfoot	Knetsch
Burton	Leonard
Cathey	Leyendecker
Colquitt	Mauritz
England	McConnell
Fielden	Morris
Fox	Patterson
Graves	of Travis
Hankamer	Petsch
Harris of Archer	Powell
Holland	Riddle
Hoskins	Thornberry
Jones of Falls	Thornton
Jones of Wise	Walker

Nays—90

Alsup	Heflin
Amos	Huddleston
Baker	Hyder
Beckworth	Jackson
Bell	James
Boethel	Johnson of Ellis
Boyer	Johnson
Bradford	of Tarrant
Brown	Jones of Angelina
Cagle	Jones of Atascosa
Callan	Kern
Carssow	King
Cauthorn	Langdon
Davis of Haskell	Lankford
Davis of Jasper	Lanning
Davisson	Leath
of Eastland	Little
Deglandon	Loggins
Derden	Lucas
Dickison	Mays
Dollins	McDonald
Farmer	McKee
Felty	McKinney
Fuchs	Moffett
Gibson	Monkhouse
Hamilton	Morse
Hanna	Newton
Harbin	Nicholson
Hardin	Oliver
Harper	Palmer
Harrell	Patterson of Mills
Harris of Dallas	Pope
Harris of Dickens	Prescott

Quinn	Smith
Reader	of Matagorda
Reed of Bowie	Smith of Tarrant
Reed of Dallas	Stinson
Rhodes	Stocks
Roark	Talbert
Russell	Tarwater
Rutta	Tennant
Schuenemann	Tennyson
Sharpe	Vale
Shell	Weldon
Skaggs	Westbrook
Smith of Hopkins	Winfree
	Worley

Absent

Blankenship	Mann
Bradbury	McCracken
Celaya	McFarland
Cleveland	Metcalfe
Davison of Fisher	Ragsdale
Hartzog	Settle
Hull	Stevenson
London	

Absent—Excused

Adkins	Sewell
Dean	Simpson
Herzik	Waggoner
Howard	Wood
Ross	

Question then recurring on the substitute amendment by Mr. Roark, it was adopted.

Question next recurring on the amendment by Mr. Petsch, as substituted, it was adopted.

Mr. Fielden offered the following amendment to this section of the committee amendment:

Amend committee amendment No. 1 to Senate Bill No. 138, by striking out figures "\$250.00" Section 17, line 32, page 67.

On motion of Mr. Alsup, the amendment was tabled.

Mr. Fielden offered the following amendment to this section of the committee amendment:

Amend committee amendment No. 1 to Senate Bill No. 138, by striking out the figures "\$100.00" Section 9, line 34, page 68.

On motion of Mr. Alsup, the amendment was tabled.

Mr. Fielden offered the following amendment to this section of the committee amendment:

Amend committee amendment No. 1 to Senate Bill No. 138, by striking out the figures "\$1,600.00," Section 43, line 5, page 69.

On motion of Mr. Alsup, the amendment was tabled.

Mr. Fielden offered the following amendment to this section of the committee amendment:

Amend committee amendment No. 1 to Senate Bill No. 138, by striking out the words "\$1,200.00" Section 8, line 22, page 72.

Mr. Alsup moved to table the amendment by Mr. Fielden.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

Yeas—81

Alsup	Little
Bates	Loggins
Bell	London
Blankenship	Lucas
Boethel	Mann
Boyer	McConnell
Bradford	McDonald
Broadfoot	McKinney
Burton	Moffett
Carssow	Monkhouse
Cauthorn	Morris
Cleveland	Morse
Davison	Newton
of Eastland	Nicholson
Deglandon	Oliver
Derden	Patterson of Mills
Dickison	Patterson
Dollins	of Travis
England	Pope
Gibson	Quinn
Graves	Ragsdale
Hankamer	Reader
Hanna	Reed of Bowie
Harris of Archer	Reed of Dallas
Harris of Dallas	Rhodes
Harris of Dickens	Riddle
Heflin	Russell
Hyder	Rutta
Jackson	Schuenemann
James	Settle
Johnson of Ellis	Shell
Jones of Angelina	Skaggs
Jones of Atascosa	Smith of Hopkins
Jones of Falls	Smith
Keith	of Matagorda
Kelt	Smith of Tarrant
Kenyon	Stocks
Kern	Tarwater
King	Tennant
Lanning	Thornberry
Leath	Vale
Leonard	Winfree

Nays—26

Alexander	Brown
Beckworth	Cathey

Farmer	Lankford
Fielden	Mays
Fox	Powell
Hamilton	Roark
Harper	Sharpe
Harrell	Talbert
Hull	Tennyson
Johnson	Walker
of Tarrant	Weldon
Jones of Wise	Westbrook
Knetsch	Worley
Langdon	

Absent

Amos	Holland
Baker	Hoskins
Bond	Huddleston
Bradbury	Keefe
Bridgers	Leyendecker
Cagle	Mauritz
Callan	McCracken
Celaya	McFarland
Colquitt	McKee
Davis of Haskell	Metcalfe
Davis of Jasper	Palmer
Davison of Fisher	Petsch
Felty	Prescott
Fuchs	Stevenson
Harbin	Stinson
Hardin	Thornton
Hartzog	

Absent—Excused

Adkins	Sewell
Dean	Simpson
Herzik	Waggoner
Howard	Wood
Ross	

Mr. Jones of Falls offered the following amendment to the section of the committee amendment relative to the State Game, Fish and Oyster Department:

Amend Senate Bill No. 138, committee amendment No. 1, page 79, line 21, by striking out the figures "\$1,350.00" and inserting in lieu thereof "\$1,500.00".

The amendment was adopted.

Mr. Fielden offered the following amendment to this section of the committee amendment:

Amend committee amendment No. 1 to Senate Bill No. 138, by striking out the figures "\$3,100.00", Section 2, line 8, page 78, and inserting in lieu thereof the figures "\$3,000.00".

The amendment was adopted.

Mr. Fielden offered the following amendment to this section of the committee amendment:

Amend committee amendment No. 1 to Senate Bill No. 138, by striking out

the figures "\$1,800.00", Section 4, line 11, page 78, and inserting in lieu thereof the figures "\$1,500.00".

On motion of Mr. Leonard, the amendment was tabled.

Mr. Sharpe offered the following amendment to the section of the committee amendment relative to the General Land Office:

Amend committee amendment No. 1, on page 84, line 6, change figures to read "\$4,000.00" instead of "\$6,000.00".

On motion of Mr. Leonard, the amendment was tabled.

Mr. Leonard offered the following amendment to the section of the committee amendment relative to the State Game, Fish and Oyster Commission:

Amend committee amendment to Senate Bill No. 138, by inserting a new section on page 79, to be known as Section 27A and to read as follows:

"Inspector — \$2,100.00, \$2,100.00"
LEONARD,
THORNTON.

The amendment was adopted.

Mr. Sharpe offered the following amendment to the section of the committee amendment relative to the State Highway Department:

Amend committee amendment No. 1, on page 86, line 36, by changing the figures "\$4,500.00" to read "\$4,000.00" and change totals to "\$12,000.00" in both columns.

Mr. Leonard moved to table the amendment.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

Yeas—82

Alexander	Davis of Jasper
Alsup	Davison of Fisher
Amos	Davisson
Baker	of Eastland
Blankenship	Deglandon
Boethel	Derden
Boyer	England
Bradford	Felty
Burton	Fox
Carssow	Gibson
Cauthorn	Graves
Celaya	Hamilton
Cleveland	Hankamer
Colquitt	Harper

Harris of Archer	Morse
Harris of Dallas	Oliver
Harris of Dickens	Palmer
Hartzog	Patterson
Holland	of Travis
Hoskins	Quinn
Hull	Ragsdale
Jackson	Reader
James	Reed of Dallas
Johnson of Ellis	Rhodes
Jones of Angelina	Roark
Jones of Atascosa	Rutta
Jones of Falls	Schuenemann
Jones of Wise	Settle
Keefe	Sharpe
King	Shell
Langdon	Smith of Hopkins
Lanning	Smith
Leath	of Matagorda
Leonard	Stinson
Leyendecker	Stocks
Loggins	Talbert
Mann	Tennant
Mauritz	Tennyson
Mays	Thornton
McConnell	Walker
McCracken	Winfree
Moffett	Worley
Monkhouse	

Nays—19

Beckworth	Morris
Brown	Nicholson
Cagle	Patterson of Mills
Cathey	Prescott
Farmer	Reed of Bowie
Fielden	Russell
Kelt	Smith of Tarrant
Kenyon	Thornberry
Lankford	Weldon
Little	

Absent

Bates	Keith
Bell	Knetsch
Bond	London
Bradbury	Lucas
Bridgers	McDonald
Broadfoot	McFarland
Callan	McKee
Davis of Haskell	McKinney
Dickison	Metcalfe
Dollins	Newton
Fuchs	Petsch
Hanna	Pope
Harbin	Powell
Hardin	Riddle
Harrell	Skaggs
Heflin	Stevenson
Huddleston	Tarwater
Hyder	Vale
Johnson	Westbrook
of Tarrant	

Absent—Excused

Adkins	Ross
Dean	Sewell
Herzik	Simpson
Howard	Waggoner
Kern	Wood

Mr. Sharpe offered the following amendment to this section of the committee amendment:

Amend committee amendment No. 1, by changing the figures on line 37, page 86, to read "\$2,400.00" instead of "\$3,000.00" in both columns.

On motion of Mr. Quinn, the amendment was tabled.

Mr. Mays offered the following amendment to this section of the committee amendment:

Amend committee amendment No. 1 to Senate Bill No. 138, page 921, line 38, item 142, by striking out the figures "\$3,893.00" and inserting in lieu thereof the following: "\$4,200.00".

The amendment was adopted.

Mr. Harris of Archer offered the following amendment to this section of the committee amendment:

Amend committee amendment No. 1 to Senate Bill No. 138, by adding after the word "year" in line 31, page 89, the following: "not less than \$1,260.00" and striking out the figures "\$21,600.00", and insert in lieu thereof "\$22,980.00".

The amendment was adopted.

Mr. Tennant offered the following amendment to this section of the committee amendment:

Amend Senate Bill No. 138, page 86, line 39, by changing the figures "\$7,200.00" wherever they appear to read "\$6,000.00".

Mr. Quinn moved to table the amendment by Mr. Tennant.

The motion to table prevailed.

Mr. Knetsch moved the previous question on this section of the committee amendment, and the main question was ordered.

Mr. Moffett offered the following amendment to the section of the committee amendment relative to the Texas Library and Historical Commission State Library:

Amend Senate Bill No. 138, page 97, line 32, (printed copy), by striking out the figures, "\$1,680.00" and

inserting in lieu thereof the figures "\$1,800.00".

MOFFETT,
ALEXANDER,
MORSE,
READER,
JONES of Wise.

The amendment was adopted.

Mr. Fielden offered the following amendment to the section of the committee amendment relative to the State Industrial Accident Board:

Amend committee amendment No. 1, Senate Bill No. 138, page 97, line 11, Section 15, by striking out the figures "\$1,950.00" and inserting in lieu thereof "\$1,200.00".

On motion of Mr. Alsup, the amendment was tabled.

Mr. Fielden moved to reconsider the vote by which the House agreed to consider Senate Bill No. 138, section by section.

The motion to reconsider was lost.

Question—Shall committee amendment No. 1 be adopted?

CONFERENCE COMMITTEE REPORT ON HOUSE BILL NO. 132

Mr. Tennyson, Chairman, submitted the following Conference Committee Report on House Bill No. 132:

Committee Room,

Austin, Texas, May 12, 1937.

Hon. Walter F. Woodul, President of the Senate.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sirs: We, your Conference Committee, appointed to adjust the difference between the House and Senate on House Bill No. 132, have had the same under consideration, and beg leave to report it back to the Senate and House with the recommendation that House Bill No. 132 be adopted in form hereto attached.

Very respectfully,

ONEAL,
DAVIS,
ROBERTS,
AIKIN,

On the part of the Senate.

TENNYSON,
SMITH of Matagorda,
BELL,
HARRIS of Archer,
LANGDON,

On the part of the House.

H. B. No. 132,

A BILL

To Be Entitled

An Act amending Section 3 of Article 1108, Chapter 10, Title 28, Revised Civil Statutes of Texas, 1925, as amended by Chapter 207, page 496 of the General and Special Laws passed by the Regular Session of the Forty-fourth Legislature, so as to allow cities and towns to extend the lines of their water, gas, sewer, or electric light and power systems outside of the limits of such cities or towns and to sell the privilege or services thereof to persons or corporations, or to permit them to connect therewith, provided that no electric lines shall be extended into the corporate limits of another incorporated town or city, and declaring an emergency.

Be It Enacted by the Legislature of the State of Texas:

Section 1. That Section 3 of Article 1108, Chapter 10, Title 28, Revised Civil Statutes of Texas, 1925, as amended by Chapter 207, page 496 of the General and Special Laws passed by the Regular Session of the Forty-fourth Legislature, be amended so as to hereafter read as follows:

"Section 3. To extend the lines of such systems outside of the limits of such towns or cities and to sell water, sewer, gas, and electric light and power privileges or service to any person or corporation outside of the limits of such towns or cities, or permit them to connect therewith under contract with such town or city under such terms and conditions as may appear to be for the best interest of such town or city; provided that no electric lines shall, for the purposes stated in this subsection, be extended into the corporate limits of another incorporated town or city.

Section 2. The fact that towns and cities are now without specific authority to extend the lines of their electric light and power and gas system outside the limits of such towns and cities, due to an oversight in the passage of Senate Bill No. 365, being Chapter 207, page 496, the Acts of the Regular Session of the Forty-fourth Legislature, and due to the further fact that certain cities are now desirous of cooperating with the Rural Electrification Administration of the Federal Government in serving rural areas with electrical energy, create

an emergency and an imperative public necessity that the Constitutional Rule requiring that bills be read on three several days, be and the same is hereby suspended, and that this Act shall take effect and be in force from and after its passage, and it is so enacted.

On motion of Mr. Tennyson, the report was adopted by the following vote:

Yeas—111

Alexander	Keith
Alsup	Kelt
Amos	Kenyon
Baker	King
Beckworth	Knetsch
Boethel	Langdon
Bond	Lankford
Boyer	Lanning
Bradford	Leath
Bridgers	Leonard
Broadfoot	Leyendecker
Brown	Little
Burton	Loggins
Cagle	London
Carssow	Mauritz
Cathey	McConnell
Cauthorn	McDonald
Celaya	Moffett
Cleveland	Monkhouse
Davis of Jasper	Morris
Davison of Fisher	Morse
Davison	Newton
of Eastland	Nicholson
Deglandon	Oliver
Derden	Palmer
England	Patterson of Mills
Felty	Patterson
Fielden	of Travis
Fox	Petsch
Gibson	Pope
Graves	Powell
Hamilton	Prescott
Hankamer	Quinn
Hanna	Ragsdale
Hardin	Reader
Harper	Reed of Bowie
Harris of Archer	Reed of Dallas
Harris of Dickens	Rhodes
Hartzog	Riddle
Hoskins	Roark
Hull	Russell
Hyder	Rutta
Jackson	Schuenemann
James	Settle
Johnson of Ellis	Sharpe
Johnson	Shell
of Tarrant	Skaggs
Jones of Angelina	Smith of Hopkins
Jones of Atascosa	Smith
Jones of Falls	of Matagorda
Jones of Wise	Stinson
Keefe	Stocks

Talbert
Tarwater
Tennant
Tennyson
Thornton
Vale

Walker
Weldon
Westbrook
Winfree
Worley

Absent

Bates	Heflin
Bell	Holland
Blankenship	Huddleston
Bradbury	Lucas
Callan	Mann
Colquitt	Mays
Davis of Haskell	McCracken
Dickison	McFarland
Dollins	McKee
Farmer	McKinney
Fuchs	Metcalf
Harbin	Smith of Tarrant
Harrell	Stevenson
Harris of Dallas	Thornberry

Absent—Excused

Adkins	Ross
Dean	Sewell
Herzik	Simpson
Howard	Waggoner
Kern	Wood

HOUSE BILL NO. 16 WITH SENATE AMENDMENTS

Mr. Harris of Dallas called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 16, A bill to be entitled "An Act to add new sections to be known as Sections 6-A, 8-A, 8-B, 8-C, 9-A, 9-B, 9-C, 16-A, 16-B, 16-C, 16-D, 19-A, 19-B, 19-C, 19-D, and 19-E to, and to amend Sections 7, 15 and 17 of Senate Bill No. 15, Chapter 466, page 1785, of the General and Special Laws passed by the Second Called Session of the Forty-fourth Legislature, of the State of Texas, which Act relates to the examination of applicants for operators or chauffeur's license; providing for certain exemptions; providing for the issuance of restricted license; providing for notice of change of address or name; providing for records to be kept by the Department; providing authority of the Department to cancel license, suspend privileges of non-residents and report convictions and to suspend resident's license upon conviction in another State; . . . etc., and declaring an emergency."

The Chair laid the bill before the House with the Senate amendments.

On motion of Mr. Harris of Dallas, the House concurred in the Senate amendments by the following vote:

Yeas—103

Alexander	Jones of Atascosa
Alsup	Jones of Falls
Amos	Jones of Wise
Baker	Keith
Bates	Kelt
Beckworth	Kenyon
Bell	Knetsch
Blankenship	Langdon
Boethel	Leonard
Bond	Leyendecker
Boyer	Little
Bradford	Loggins
Bridgers	Mann
Broadfoot	McCracken
Burton	McDonald
Cagle	Moffett
Carssow	Monkhouse
Cathey	Morris
Cauthorn	Morse
Celaya	Newton
Cleveland	Nicholson
Colquitt	Patterson of Mills
Davisson	Patterson
of Eastland	of Travis
Deglandon	Powell
Derden	Prescott
Dickison	Quinn
England	Reader
Farmer	Reed of Bowie
Felty	Reed of Dallas
Fielden	Rhodes
Fox	Riddle
Fuchs	Roark
Gibson	Russell
Graves	Rutta
Hamilton	Schuenemann
Hankamer	Settle
Hanna	Sharpe
Harbin	Shell
Hardin	Smith
Harper	of Matagorda
Harris of Archer	Smith of Tarrant
Harris of Dallas	Stinson
Harris of Dickens	Stocks
Hartzog	Talbert
Hoskins	Tennant
Hull	Tennyson
Hyder	Thornberry
Jackson	Thornton
James	Vale
Johnson of Ellis	Weldon
Johnson	Winfree
of Tarrant	Wood
Jones of Angelina	

Nays—12

Brown	Leath
King	Lucas
Lanning	Mauritz

Pope Tarwater
Skaggs Walker
Smith of Hopkins Worley

Present—Not Voting

Bradbury McConnell
Davison of Fisher

Absent

Callan Mays
Davis of Haskell McFarland
Davis of Jasper McKee
Dollins McKinney
Harrell Metcalfe
Heflin Oliver
Holland Palmer
Huddleston Petsch
Keefe Ragsdale
Lankford Stevenson
London Westbrook

Absent—Excused

Adkins Ross
Dean Sewell
Herzik Simpson
Howard Waggoner
Kern

CONFERENCE COMMITTEE RE-
PORT ON SENATE BILL
NO. 144

Mr. Fox, Chairman, submitted the following Conference Committee report on Senate Bill No. 144:

Honorable Walter F. Woodul, President of the Senate.

Honorable R. W. Calvert, Speaker of the House of Representatives.

Gentlemen: We, your Conference Committee, heretofore appointed to adjust the differences between the Senate and the House of Representatives on Senate Bill No. 144, have had same under consideration and recommend that said Senate Bill No. 144 be passed in the form attached hereto.

Very truly yours,

LEMENS,
REDDITT,
SHIVERS,
BROWNLEE,

On the part of the Senate.

FOX,
KELT,
LANKFORD,
JONES of Wise,
POWELL,

On the part of the House.

S. B. No. 144,

A BILL

To Be Entitled

An Act amending Articles 4925 and 4926, Revised Civil Statutes, 1925, so as to clarify the same by providing that the total recoveries permitted on the bonds therein provided for shall not exceed the face value of the bonds, and declaring an emergency.

Be It Enacted by the Legislature of the State of Texas:

Section 1. Article 4925, Revised Civil Statutes, 1925, is hereby amended so as to hereafter read as follows:

"Article 4925. Every fire insurance company, not organized under the laws of this State, applying for a certificate of authority to transact any kind of insurance in this State, shall, before obtaining such certificate, file with the Commissioner a bond, with good and sufficient surety or sureties, to be approved by and to be payable to the Commissioner and his successors in office, in a sum equal to twenty five per cent (25%) of its premiums collected from citizens or upon property in this State during the preceding calendar year, as shown by its annual report for such year. The bond in no case shall be less than Ten Thousand (\$10,000.00) Dollars, nor more than Seventy-five Thousand (\$75,000.00) Dollars, conditioned that said company will pay all its lawful obligations to citizens of this State. Such bonds shall be subject to successive suits by citizens of this State so long as any part of the same shall not be exhausted, and the same shall be kept in force until all claims of such citizens arising out of obligations of said company have been fully satisfied, but in no event shall the total recoveries permitted on said bonds exceed the face value thereof. Such bonds shall provide that in the event the company shall become insolvent or cease to transact business in this State, at any time, when it has outstanding policies of insurance in favor of citizens of this State, or upon property in this State, the Commissioner shall have power, after having given ten (10) days notice to the officers of such company, or any receiver in charge of its property and affairs, to contract with any other

insurance company transacting business in this State for the assumption and reinsurance by it of all the insurance risks outstanding in this State of such company which is insolvent, or which has ceased to transact business in this State, which contract shall also provide for the assumption by such reinsurance company of all outstanding and unsatisfied lawful claims then outstanding against such company which has become insolvent, or ceased to transact business in this State. In the event of the Commissioner making any such contract, and if the same shall be approved as reasonable by the Attorney General and the Governor of this State, the reinsuring company shall be entitled to recover from the makers of such bond the amount of the premium or compensation so agreed upon for such reinsurance. Any company desiring to do so may, at its option, in lieu of giving the bond required by this Article, deposit securities of any kind in which it may lawfully invest its funds with the State Treasurer upon such terms and conditions as will in all respects afford the same protection and indemnity as herein provided for to be afforded by said bond."

Sec. 2. Article 4926, Revised Civil Statutes, 1925, is hereby amended so as to hereafter read as follows:

"Article 4926. Every fire insurance company, not organized under the laws of this State, hereafter issuing or causing or authorizing to be issued, any policy of insurance other than life insurance, shall first have filed with the Commissioner during the calendar year in which such policy may issue, or authorize or cause to be issued, a bond of good and sufficient sureties to be approved by such Commissioner in a sum of not less than Ten Thousand (\$10,000.00) Dollars, conditioned for the payment of all lawful obligations to citizens of this State arising out of any policies or contracts issued by such fire insurance company; which such bonds shall be subject to successive suits by citizens of this State so long as any part of the same shall not be adjusted, and so long as there remains outstanding any such obligations or contracts of such fire insurance company, but in no event shall the total recoveries permitted on said bond exceed the face value thereof. This Article shall not apply to any

person, firm or corporation, or association, doing an inter-insurance, co-operative or reciprocal business."

Sec. 3. The fact that these statutes are now ambiguous with reference to the amount of recovery to be had on the bond therein provided for, and the importance of this Legislation, and the crowded condition of the calendar creates an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each House be suspended, and said Rule is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted.

On motion of Mr. Fox, the report was adopted by the following vote:

Yeas—121

Alexander	Harris of Dallas
Alsup	Harris of Dickens
Amos	Hartzog
Baker	Heflin
Bates	Herzik
Beckworth	Holland
Blankenship	Hoskins
Boethel	Huddleston
Bond	Hull
Boyer	Hyder
Bradford	James
Bridgers	Johnson of Ellis
Broadfoot	Johnson
Brown	of Tarrant
Burton	Jones of Angelina
Cagle	Jones of Atascosa
Carssow	Jones of Falls
Cauthorn	Jones of Wise
Celaya	Keefe
Cleveland	Kelt
Davis of Jasper	Kenyon
Davison of Fisher	Kern
Davisson	King
of Eastland	Knetsch
Deglandon	Langdon
Derden	Lankford
England	Lanning
Farmer	Leonard
Felty	Leyendecker
Fielden	Little
Fox	Loggins
Fuchs	London
Gibson	Lucas
Graves	Mann
Hamilton	Mauritz
Hankamer	Mays
Hanna	McConnell
Harbin	McCracken
Hardin	Metcalfe
Harper	Moffett
Harrell	Monkhouse
Harris of Archer	Morris

Morse	Settle
Newton	Sharpe
Nicholson	Shell
Oliver	Skaggs
Palmer	Smith of Hopkins
Patterson of Mills	Smith
Patterson	of Matagorda
of Travis	Stevenson
Petsch	Stinson
Powell	Stocks
Prescott	Talbert
Quinn	Tennant
Reader	Tennyson
Reed of Bowie	Vale
Reed of Dallas	Walker
Rhodes	Weldon
Riddle	Westbrook
Roark	Winfree
Russell	Wood
Rutta	Worley
Schuenemann	

Nays—1

Thornberry

Absent

Bell	Leath
Bradbury	McDonald
Callan	McFarland
Cathey	McKee
Colquitt	McKinney
Davis of Haskell	Pope
Dickison	Ragsdale
Dollins	Smith of Tarrant
Jackson	Tarwater
Keith	Thornton

Absent—Excused

Adkins	Sewell
Dean	Simpson
Howard	Waggoner
Ross	

RECALLING HOUSE BILL NO. 982 FROM THE GOVERNOR

Mr. Nicholson offered the following resolution:

H. C. R. No. 132, Recalling House Bill No. 982 from the Governor.

Resolved by the House of Representatives, the Senate concurring, That the Governor be, and he is hereby requested to return to the House of Representatives, House Bill No. 982, for further consideration and correction, and that the signatures of the presiding officers of the House of Representatives and Senate be erased from the bill.

The resolution was read second time, and was adopted.

INSTRUCTING THE ENROLLING CLERK OF THE HOUSE TO MAKE CERTAIN CORREC- TION IN HOUSE BILL NO. 982

Mr. Nicholson offered the following resolution:

H. C. R. No. 133, Instructing the Enrolling Clerk of the House to make certain correction in House Bill No. 982.

Whereas, The conference committee report upon House Bill No. 982 has passed the House of Representatives and Senate; and

Whereas, Said conference committee report contains a certain error; therefore, be it

Resolved by the House of Representatives, the Senate concurring, That the Enrolling Clerk of the House of Representatives be instructed to make the following correction:

"That the words and figures, 'One Hundred and Fifty (\$150.00) Dollars', appearing in the second paragraph of Section No. 1 be stricken out, and the words and figures, 'One Hundred (\$100.00) Dollars', be inserted in lieu thereof."

The resolution was read second time, and was adopted.

MESSAGE FROM THE SENATE

Austin, Texas, May 13, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House the Senate has refused to concur in House amendments to Senate Bill No. 164, and requests the appointment of a conference committee to adjust the differences between the two Houses.

The following have been appointed on the part of the Senate:

Senators Collie, Hill, Shivers, Cotten and Spears.

The Senate has refused to concur in House amendments to Senate Bill No. 402, and requests the appointment of a conference committee to adjust the differences between the two Houses.

The following have been appointed on the part of the Senate:

Senators Davis, Rawlings, Aikin,
Lemens and Head

Respectfully,

BOB BARKER,
Secretary of the Senate.

**PROVIDING FOR ADJOURNMENT
SINE DIE**

Mr. Blankenship offered the following resolution:

H. C. R. No. 131, Providing for adjournment sine die.

Whereas, The one hundred twenty day session of the Legislature expired Tuesday, May 11th at midnight; and

Whereas, The appropriation bills, emergency measures by the Governor, if any, and such privilege matter as may come before the House will consume several days for deliberation; and

Whereas, The calendar of the Legislature is congested and progress toward clearing of said calendar can not reasonably be expected during the Regular Session of the Legislature; and

Whereas, It is important and highly desirable that a day certain be named when the Legislature shall adjourn sine die; and

Whereas, Unless a day certain is named we will not know when the rules of the House with reference to the limitation of the discussion of bills, the seventy-two hour rule, the forty-eight hour rule and other rules of procedure apply; now, therefore, be it

Resolved by the House of Representatives of the Forty-fifth Legislature, the Senate concurring. That the Regular Session of the Forty-fifth Legislature adjourn sine die on Saturday, May 22, 1937, at twelve o'clock noon, provided, however, that if the date set in this concurrent resolution, to wit: May 22, 1937, is not agreed to and adopted by the Senate within twenty-four hours, this concurrent resolution shall be null and void.

BLANKENSHIP,
JONES of Atascosa,
STEVENSON,
THORNTON,
KNETSCH,
HANKAMER,
PETSCH,
STOCKS,
RHODES,
MORSE,
LITTLE,
BOYER,

WALKER,
WINFREE,
POPE,
HEFLIN,
KEITH,
CARSSOW,
HULL,
LEONARD,
ALSUP,
STINSON,
HARRIS of Dallas,
READER,

The resolution was read second time.

Mr. Quinn moved to postpone further consideration of House Concurrent Resolution No. 131, until 7:30 o'clock p. m., today.

The motion was lost.

Mr. Moffett offered the following amendment to the resolution:

Amend the resolution, by changing "May 22nd" to "May 21st".

Mr. Worley moved the previous question on the amendment and the resolution, and the main question was ordered.

Question first recurring on the amendment by Mr. Moffett, it was lost.

Question then recurring on the resolution, yeas and nays were demanded.

The resolution was adopted by the following vote:

Yeas—73

Alexander	Hull
Alsup	Hyder
Amos	Jackson
Blankenship	Johnson
Boyer	of Tarrant
Brown	Jones of Atascosa
Burton	Kenyon
Cagle	King
Carssow	Knetsch
Celaya	Lanning
Davisson	Leyendecker
of Eastland	Little
Derden	Loggins
Dickison	McFarland
England	McKinney
Felty	Moffett
Fox	Morris
Fuchs	Morse
Gibson	Nicholson
Hankamer	Palmer
Hanna	Patterson of Mills
Harbin	Pope
Hardin	Powell
Harris of Archer	Prescott
Harris of Dallas	Quinn
Heflin	Reader
Huddleston	Reed of Bowie

Reed of Dallas	Smith of Tarrant
Rhodes	Stevenson
Riddle	Stinson
Rutta	Stocks
Schuenemann	Talbert
Settle	Tarwater
Shell	Thornton
Skaggs	Vale
Smith of Hopkins	Walker
Smith	Winfree
of Matagorda	Worley

Nays—55

Baker	Jones of Wise
Bates	Keefe
Beckworth	Kelt
Bell	Kern
Boethel	Langdon
Bond	Lankford
Bradford	Leath
Broadfoot	London
Cathey	Lucas
Cauthorn	Mauritz
Cleveland	Mays
Davis of Jasper	McConnell
Davison of Fisher	Metcalfe
Deglandon	Monkhouse
Farmer	Oliver
Fielden	Patterson
Hamilton	of Travis
Harper	Petsch
Harrell	Ragsdale
Harris of Dickens	Roark
Hartzog	Ross
Herzik	Russell
Holland	Sharpe
Hoskins	Tennyson
James	Thornberry
Johnson of Ellis	Weldon
Jones of Angelina	Westbrook
Jones of Falls	Wood

Absent

Bradbury	Leonard
Bridgers	Mann
Callan	McCracken
Colquitt	McDonald
Davis of Haskell	McKee
Dollins	Newton
Graves	Tennant
Keith	

Absent—Excused

Adkins	Sewell
Dean	Simpson
Howard	Waggoner

Mr. Reader moved to reconsider the vote by which the resolution was adopted, and to table the motion to reconsider.

The motion to table prevailed.

MESSAGE FROM THE SENATE

Austin, Texas, May 13, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has adopted House Concurrent Resolution No. 132, Recalling House Bill No. 982 from the Governor's office for further correction.

H. C. R. No. 133, Authorizing the Enrolling Clerk of the House to make certain corrections in House Bill No. 982, (as enrolled.)

H. C. R. No. 124, Setting out the interpretation and application of House Bill No. 291 as amended by the Senate.

Adopted

H. C. R. No. 82, Authorizing Miss Loulie Gurley, et al., to sue the State.

Respectfully,

BOB BARKER,

Secretary of the Senate.

TO SUSPEND THE RULE TO CONSIDER CERTAIN BILLS

Mr. Knetsch moved that the Rule governing the regular order of business be suspended, at this time, and that the House take up and consider for a period of thirty minutes those bills which were not considered on the local and uncontested bills calendar of last evening, as follows: House Bills Nos. 924, 989, 1104, 1116, 1171, 1173, 1174 and Senate Bill No. 487.

Mr. Leonard moved that Senate Joint Resolution No. 13 be included in the list.

The motion was lost.

On motion of Mr. Hankamer, House Bill No. 1179 was ordered included in the list.

On motion of Mr. Smith of Tarrant, House Simple Resolution No. 273 was ordered included in the list.

On motion of Mr. Stinson, House Bill No. 746 was ordered included in the list.

Mr. Alsup moved that House Joint Resolution No. 24 be included.

The motion prevailed.

Mr. Mauritz moved that the hour of 7:30 o'clock p. m., today be set aside to consider the above bills and resolutions.

The motion was lost.

SENATE BILLS ON FIRST
READING

The following Senate bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

Senate Bill No. 267, to the Committee on Conservation and Reclamation.

Senate Bill No. 513, to the Committee on Appropriations.

Senate Bill No. 198, to the Committee on Education.

Senate Bill No. 515, to the Committee on Game and Fisheries.

Senate Bill No. 450, to the Committee on Highways and Motor Traffic.

Senate Bill No. 508, to the Committee on Judiciary.

Senate Bill No. 446, to the Committee on Appropriations.

Senate Bill No. 445, to the Committee on Judiciary.

Senate Bill No. 53, to the Committee on State Affairs.

Senate Bill No. 31, to the Committee on Judiciary.

ADJOURNMENT

Mr. Davison of Fisher moved that the House adjourn until 10:00 o'clock a. m., tomorrow.

Mr. Morris moved that the House recess until 7:30 o'clock p. m., today.

Question first recurring on the motion to adjourn, yeas and nays were demanded.

The motion to adjourn prevailed by the following vote:

Yeas—70

Beckworth	Hanna
Blankenship	Hardin
Boyer	Harrell
Bradford	Harris of Dallas
Burton	Hartzog
Cagle	Heflin
Carssow	Hyder
Cathey	Jackson
Cauthorn	James
Celaya	Johnson
Cleveland	of Tarrant
Davison of Fisher	Jones of Angelina
Davisson	Keefe
of Eastland	Kenyon
Deglandon	Lanning
Dickison	Leath
Farmer	Little

Loggins	Ross
London	Rutta
McDonald	Schuenemann
McFarland	Settle
McKee	Skaggs
Metcalf	Smith of Hopkins
Moffett	Smith
Morse	of Matagorda
Newton	Smith of Tarrant
Oliver	Stevenson
Palmer	Stocks
Pope	Talbert
Powell	Tarwater
Prescott	Tennant
Ragsdale	Vale
Reader	Waggoner
Reed of Bowie	Westbrook
Reed of Dallas	Winfree
Rhodes	Worley
Riddle	

Nays—57

Alexander	Jones of Wise
Alsup	Kelt
Amos	Kern
Baker	King
Bates	Knetsch
Boethel	Langdon
Bridgers	Lankford
Broadfoot	Leonard
Brown	Leyendecker
Colquitt	Lucas
Davis of Jasper	Mann
Derden	Mauritz
England	McConnell
Fielden	McKinney
Fox	Monkhouse
Fuchs	Patterson of Mills
Gibson	Patterson
Hamilton	of Travis
Hankamer	Quinn
Harbin	Roark
Harper	Russell
Harris of Archer	Sharpe
Harris of Dickens	Stinson
Herzik	Tennyson
Holland	Thornberry
Hoskins	Thornton
Huddleston	Walker
Hull	Weldon
Jones of Falls	Wood

Absent

Bell	Jones of Atascosa
Bond	Keith
Bradbury	Mays
Callan	McCracken
Davis of Haskell	Morris
Dollins	Nicholson
Felty	Petsch
Graves	Shell
Johnson of Ellis	

Absent—Excused

Adkins	Sewell
Dean	Simpson
Howard	

The House, accordingly, at 5:40 o'clock p. m., adjourned until 10:00 o'clock a. m., tomorrow.

APPENDIX

STANDING COMMITTEE REPORTS

The following committees have filed favorable reports on bills and resolutions, as follows:

Agriculture: House Simple Resolution No. 213.

Appropriations: House Bill No. 479.

Counties: House Bills Nos. 1179 and 1180.

State Affairs: House Concurrent Resolutions Nos. 127 and 128.

Game and Fisheries: House Bill No. 1173.

REPORTS OF THE COMMITTEE ON ENGROSSED BILLS

Committee Room,

Austin, Texas, May 13, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 1174, A bill to be entitled "An Act making it unlawful to catch fish with hooks, traps, seines, and nets in the waters of Red River in Fannin, Cooke, Grayson, Lamar, Red River and Bowie Counties, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

WESTBROOK, Vice Chairman.

Austin, Texas, May 12, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 1175, A bill to be entitled "An Act granting easement to the United States in certain lands, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

WESTBROOK, Vice Chairman.

Austin, Texas, May 13, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 1176, A bill to be entitled "An Act amending Subsection 27 of Article 199, Revised Civil Statutes of Texas, 1925, as amended by Chapter 305, Acts of the Forty-second Legislature, Regular Session, by omitting the January Term of Court in Mills County, Texas, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

WESTBROOK, Vice Chairman.

Austin, Texas, May 12, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 1178, A bill to be entitled "An Act to provide for the creation of corporations for the purpose of dealing in, buying and selling, etc., fruits, fruit juices, and vegetables produced in the United States and enumerating the power and authority of such corporations, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

WESTBROOK, Vice Chairman.

Austin, Texas, May 13, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 1177, A bill to be entitled "An Act to amend Article 879g of the Penal Code of Texas by excluding Polk County, Texas, from the terms thereof, etc., and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

WESTBROOK, Vice Chairman.

Austin, Texas, May 13, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 469, A bill to be entitled "An Act amending Article 2843, Title No. 49, Chapter 16, Revised Civil Statutes of 1925, authorizing the increase or decrease in the list of sub-

jects for which free textbooks are adopted; providing that the State Board of Education shall adopt textbooks for high school subjects on a multiple list basis when one hundred or more first-class high schools are affiliated in the subjects; providing that the State Board of Education may adopt free textbooks in a subject when less than one hundred first-class high schools are affiliated in the subject when the state course of study and popular demand justify it; providing that a book or books may be adopted for high schools which combine two or more of the existing high school subjects provided no existing high school subject is omitted by such a combination; providing that the State Board of Education may also, if deemed necessary, adopt a book or books in music and in science for the elementary grades; and providing further that a book or books may be adopted in the elementary grades which combine two or more of the subjects herein listed and that no subject herein listed is thereby omitted through such a combination, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, May 13, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. C. R. No. 130, Authorizing the State Highway Department to lend certain equipment to Henderson County.

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

SEVENTY-FIRST DAY

(Friday, May 14, 1937)

The House met at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Calvert.

The roll of the House was called, and the following Members were present:

Mr. Speaker	Alsup
Adkins	Amos
Alexander	Baker

Bates	Keefe
Beckworth	Keith
Bell	Kelt
Blankenship	Kenyon
Boethel	Kern
Bond	King
Boyer	Knetsch
Bradbury	Langdon
Bradford	Lankford
Bridgers	Lanning
Broadfoot	Leath
Brown	Leonard
Burton	Leyendecker
Cagle	Little
Callan	Loggins
Carsow	London
Cathey	Lucas
Cauthorn	Mann
Celaya	Mauritz
Cleveland	Mays
Colquitt	McConnell
Davis of Jasper	McCracken
Davison of Fisher	McDonald
Davisson	McFarland
of Eastland	McKee
Deglandon	McKinney
Derden	Metcalfe
Dickison	Moffett
Dollins	Monkhouse
England	Morris
Farmer	Morse
Felty	Newton
Fielden	Nicholson
Fox	Oliver
Fuchs	Palmer
Gibson	Patterson of Mills
Graves	Patterson
Hamilton	of Travis
Hankamer	Petsch
Hanna	Pope
Harbin	Powell
Hardin	Prescott
Harper	Quinn
Harrell	Ragsdale
Harris of Archer	Reader
Harris of Dallas	Reed of Bowie
Harris of Dickens	Reed of Dallas
Hartzog	Rhodes
Heflin	Riddle
Herzik	Roark
Holland	Ross
Hoskins	Russell
Huddleston	Rutta
Hull	Schuenemann
Hyder	Settle
Jackson	Sewell
James	Sharpe
Johnson of Ellis	Shell
Johnson	Skaggs
of Tarrant	Smith of Hopkins
Jones of Angelina	Smith
Jones of Atascosa	of Matagorda
Jones of Falls	Smith of Tarrant
Jones of Wise	Stevenson